

HOUSE JOURNAL
of the
ONE HUNDRED TWELFTH GENERAL ASSEMBLY
of the
STATE OF TENNESSEE
TUESDAY, JANUARY 12, 2021
FIRST ORGANIZATIONAL DAY

The House of Representatives of the One Hundred Twelfth General Assembly of the State of Tennessee was called to order at twelve o'clock noon by Cameron Sexton, Speaker of the One Hundred Eleventh General Assembly, in accordance with Article II, Sections 3 and 8 of the Constitution of the State of Tennessee.

The proceedings were opened with prayer by Pastor John Rush of Liberty Church, Cosby, TN

Representative Faison led the House in the Pledge of Allegiance to the Flag.

COMMUNICATION
November 23, 2020

Michael Butler, CEO
Tennessee Wildlife Federation
300 Orlando Avenue
Nashville, TN 37209

Re: Asian Carp Advisory Commission

Dear Mr. Butler,

This letter is to inform you, acting pursuant to Governor Bill Lee's Executive Order 62, that I am appointing you to serve as a member of the Asian Carp Advisory Commission. Your term begins immediately, ends June 30, 2024, and is served at the pleasure of the Speaker of the House of Representatives, as the appointing authority.

I am forwarding a copy of this letter to Executive Director Bobby Wilson, with the Tennessee Wildlife Resources Agency. Executive Director Wilson's office will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of the office with the high standard of professionalism, dedication, and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

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/s/ Speaker Cameron Sexton

cc: Lt. Gov. Randy McNally
Bobby Wilson - Tennessee Wildlife Resources Agency
Robert Greene, 8th Floor, Snodgrass Tower
Alex Martin, G-7 State Capitol Bldg.
Holt Whitt
Connie Ridley
Karen Garrett
Anastasia Campbell
Tammy Letzler

REPRESENTATIVES BY DISTRICT

The Speaker directed Mr. Daniel Hicks, Parliamentarian of the One Hundred and Eleventh General Assembly, to call the names, by district, of the duly elected or appointed Representatives who have been certified by the Secretary of State as follows:

First Representative District—John K. Crawford

Second Representative District—Bud Hulsey

Third Representative District—Scotty Campbell

Fourth Representative District—John B. Holsclaw, Jr.

Fifth Representative District—David B. Hawk

Sixth Representative District—Tim Hicks

Seventh Representative District—Rebecca Keefauver Alexander

Eighth Representative District—Jerome F. Moon

Ninth Representative District—Gary W. Hicks, Jr.

Tenth Representative District—Rick Eldridge

Eleventh Representative District—Jeremy Faison

Twelfth Representative District—Dale Carr

Thirteenth Representative District—Gloria Johnson

Fourteenth Representative District—Jason Zachary

Fifteenth Representative District—Sam McKenzie

Sixteenth Representative District—Michele Carringer

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Seventeenth Representative District—Andrew Ellis Farmer

Eighteenth Representative District—Eddie Mannis

Nineteenth Representative District—Dave Wright

Twentieth Representative District—Bob Ramsey

Twenty-first Representative District—Lowell Russell

Twenty-second Representative District—Dan Howell

Twenty-third Representative District—Mark Cochran

Twenty-fourth Representative District—Mark Hall

Twenty-fifth Representative District—Cameron Sexton

Twenty-sixth Representative District—Robin T. Smith

Twenty-seventh Representative District—Patsy Hazlewood

Twenty-eighth Representative District—Yusuf A. Hakeem

Twenty-ninth Representative District—Mike Carter

Thirtieth Representative District—Esther Helton

Thirty-first Representative District—Ron Travis

Thirty-second Representative District—Kent Calfee

Thirty-third Representative District—John D. Ragan

Thirty-fourth Representative District—Tim Rudd

Thirty-fifth Representative District—Jerry Sexton

Thirty-sixth Representative District—Dennis Powers

Thirty-seventh Representative District—Charlie Baum

Thirty-eighth Representative District—Kelly T. Keisling

Thirty-ninth Representative District—Iris Rudder

Fortieth Representative District—Terri Lynn Weaver

Forty-first Representative District—John Mark Windle

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Forty-second Representative District—Ryan Williams

Forty-third Representative District—Paul Sherrell

Forty-fourth Representative District—William Lamberth

Forty-fifth Representative District—Johnny Garrett

Forty-sixth Representative District—Clark Boyd

Forty-seventh Representative District—Rush Bricken

Forty-eighth Representative District—Bryan Terry

Forty-ninth Representative District—Mike Sparks

Fiftieth Representative District—Bo Mitchell

Fifty-first Representative District—Bill Beck

Fifty-second Representative District—Mike Stewart

Fifty-third Representative District—Jason L. Powell

Fifty-fourth Representative District—Vincent Dixie

Fifty-fifth Representative District—John Ray Clemmons

Fifty-sixth Representative District—Bob Freeman

Fifty-seventh Representative District—Susan M. Lynn

Fifty-eighth Representative District—Harold M. Love, Jr.

Fifty-ninth Representative District—Jason Potts

Sixtieth Representative District—Darren Jernigan

Sixty-first Representative District—Brandon Ogles

Sixty-second Representative District—Pat Marsh

Sixty-third Representative District—Glen Casada

Sixty-fourth Representative District—Scott E. Cepicky

Sixty-fifth Representative District—Sam Whitson

Sixty-sixth Representative District—Sabi ‘Doc’ Kumar

Sixty-seventh Representative District—Jason Hodges

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Sixty-eighth Representative District—Curtis Johnson

Sixty-ninth Representative District—Michael G. Curcio

Seventieth Representative District—Clay Doggett

Seventy-first Representative District—David “Coach” Byrd

Seventy-second Representative District—Kirk Haston

Seventy-third Representative District—Chris Todd

Seventy-fourth Representative District—Jay D. Reedy

Seventy-fifth Representative District—Bruce I. Griffey

Seventy-sixth Representative District—Tandy Darby

Seventy-seventh Representative District—Rusty Grills

Seventy-eighth Representative District—Mary Littleton

Seventy-ninth Representative District—Curtis Halford

Eightieth Representative District—Johnny W. Shaw

Eighty-first Representative District—Debra F. Moody

Eighty-second Representative District—Chris Hurt

Eighty-third Representative District—Mark White

Eighty-fourth Representative District—Joe Towns, Jr.

Eighty-fifth Representative District—Jesse Chism

Eighty-sixth Representative District—Barbara Cooper

Eighty-seventh Representative District—Karen Camper

Eighty-eighth Representative District—Larry J. Miller

Eighty-ninth Representative District—Justin Lafferty

Ninetieth Representative District—Torrey C. Harris

Ninety-first Representative District—London Lamar

Ninety-second Representative District—Todd Warner

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Ninety-third Representative District—G. A. Hardaway

Ninety-fourth Representative District—Ron M. Gant

Ninety-fifth Representative District—William Kevin Vaughan

Ninety-sixth Representative District—Dwayne Thompson

Ninety-seventh Representative District—John Gillespie

Ninety-eighth Representative District—Antonio Parkinson

Ninety-ninth Representative District—Tom Leatherwood

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Byrd; illness

Representative Vaughan; illness

Representative Stewart

OATHS OF OFFICE OF REPRESENTATIVES

The Speaker asked the Clerk if any petitions had been filed relative to the election. The Clerk announced no petitions had been filed.

The Representatives-elect stood and were administered the Oath of office by the Honorable Holly Kirby, Justice of the Tennessee Supreme Court, as prescribed by the State Constitution and the Statutes of Tennessee:

Representatives present were: 96

Representatives present were Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell, Camper, Carr, Carringer, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Todd, Towns, Travis, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton -- 96

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**REPORT OF THE AD HOC
COMMITTEE ON RULES**

JANUARY 12, 2021

**THE HOUSE AD HOC COMMITTEE ON RULES MET ON JANUARY 11, 2021 AND
RECOMMENDED THAT THE FOLLOWING BE ADOPTED AS THE TEMPORARY RULES OF
THE HOUSE OF REPRESENTATIVES FOR THE 112TH GENERAL ASSEMBLY.**

**TEMPORARY
RULES OF ORDER**

of the

**TENNESSEE
HOUSE OF REPRESENTATIVES**

One Hundred Twelfth General Assembly

1. SPEAKER TO CONVENE HOUSE. At the hour to which the House shall have been adjourned, the Speaker shall proceed to the dais and announce that the House is in session in accordance with the adjournment motion previously made. The Speaker shall then call the House to order and, after appropriate opening ceremonies, call for the regular order of business, beginning with a roll call to determine that a quorum is present. A quorum of the House of Representatives shall be as defined by the Constitution of the State of Tennessee: "Not less than two-thirds of all the members to which each house shall be entitled shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized, by law, to compel the attendance of absent members." Article 2, Section 11, Constitution of the State of Tennessee.

2. SPEAKER TO PRESERVE ORDER. The Speaker shall preserve order and decorum and may speak to points of order in preference to other members. The Speaker will have the authority to set the guidelines for decorum.

3. OTHER DUTIES OF SPEAKER. The Speaker shall supervise the preparation of the daily Journal and shall have general direction of the Representative Chamber in accordance with the authority granted under the Rules of the House.

4. ORDER IN GALLERY OR LOBBY. In case of any disturbance or disorderly conduct in the gallery or lobby, the Speaker or the Chair of the Committee of the Whole shall have power to order the same to be cleared.

5. FORMS OF QUESTIONS. Questions shall be put directly in this form: "Representatives in favor of (then state the proposition) say 'Aye' and, after the affirmative will be expressed, "Representatives who are opposed, say 'Nay'." If the Speaker doubt, or a roll call be requested, as provided in Rule 29, a roll call vote shall be taken.

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6. SPEAKER TO APPOINT COMMITTEES. The Speaker shall appoint all committees, unless otherwise directed by the House, in which case they shall be elected by a vote of the House; and if, upon the first ballot, there be no election, a second ballot shall be taken, in which a plurality of votes shall elect. The Speaker shall, in appointing committees, give consideration to the abilities, preferences and seniority of the members and the political party representation in the House. No member shall be appointed to serve on more than three (3) standing committees, exclusive of the Committee on Calendar and Rules.

7. SPEAKER TO APPOINT COMMITTEE OFFICERS. The Speaker shall appoint one (1) chair and one (1) vice-chair for each of the standing committees and for the Committee on Calendar and Rules. The Speaker shall appoint one (1) subcommittee chair for each subcommittee. Any officer of any committee, with the approval of the Speaker, may choose to be a member of only one (1) committee. In appointing committee officers, the Speaker shall consider the abilities, preferences and seniority of members and the political party representation in the House.

8. SPEAKER PRO TEMPORE. A Speaker pro tempore of the House of Representatives shall be elected by the membership of the House during the organizational session of the General Assembly. The Speaker pro tempore shall serve until a successor is chosen or until the expiration of such speaker's term, whichever shall first occur. The Speaker pro tempore shall act during the absence of the Speaker, except that the Speaker shall have the right to name any member to perform the duties of the Chair for periods not to exceed three (3) consecutive legislative days. In the absence of the Speaker and the Speaker pro tempore, it shall be the duty of the Clerk to call the House to order and call the roll for the election of a temporary Speaker. In the event of an interim vacancy of the office of Speaker, through death or resignation, or in the event of disability of the Speaker, the Speaker pro tempore shall conduct the necessary business of the House only until such time as an election can be held in the House to fill the vacancy.

9. CHIEF CLERK. There shall be a Chief Clerk, Assistant Chief Clerk, Assistant Chief Clerk/Parliamentarian, Chief Engrossing Clerk and Chief Sergeant-At-Arms of the House of Representatives who shall be appointed by the Speaker and who shall serve until a successor is chosen. The Chief Clerk shall keep open the Office of the Clerk during and between sessions of the General Assembly on a permanent basis and shall transact efficiently such business as is assigned or required by law or rules of the House, both during and between sessions. The Chief Clerk, Assistant Chief Clerk, Assistant Chief Clerk/Parliamentarian, Chief Engrossing Clerk and Chief Sergeant-At-Arms shall take an oath to support the Constitution of the United States and of the State of Tennessee and to truly and faithfully discharge the duties of the office to the best of such clerk's knowledge and ability.

10. APPOINTMENT OF HOUSE EMPLOYEES. The Speaker shall appoint such House employees as are necessary for the proper transaction of the business of the House.

11. VOTES REQUIRED FOR CHOICE. In all votes other than those specifically provided for herein, a majority of those present and voting shall be necessary to a choice, a quorum being present.

12. ORDER OF BUSINESS. The reading of the daily Journal for the preceding day shall not be required; provided, however, that upon appropriate motions, the House may direct that the same be read. Any corrections in the Journal shall be suggested by individual members under the order of Unfinished Business.

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After appropriate opening ceremonies, the Speaker shall call for the following:

- (1) Roll Call
- (2) Welcoming and Honoring
- (3) Introduction of Resolutions
- (4) Senate Joint Resolutions (Congratulatory, Memorializing)
- (5) Resolutions Lying Over
- (6) Introduction of Bills
- (7) Senate Bills on First Consideration
- (8) Senate Bills on Second Consideration
- (9) House Bills on Second Consideration
- (10) Petitions and Memorials
- (11) Reports from Standing Committees
- (12) Reports from Select Committees
- (13) Calendars
- (14) Unfinished Business
- (15) Announcements
- (16) Roll Call

13. SPECIAL ORDER. It shall require an affirmative vote by two-thirds (2/3) of the members to which the House is entitled under the Constitution to set a special order of business; however, when a motion has been made to set for a special order any bill, resolution, or motion, the motion having failed for lack of a two-thirds majority but having received a majority vote of the members of the House present, it shall be in order, upon the demand of five (5) members of the House, for the Committee on Calendar and Rules to meet and report for the adoption or rejection by a majority vote of the House a rule or order fixing a time for the consideration of said bill or measure. It shall require a majority vote of the members of the House to postpone any special order set.

14. NUMBER OF SPECIAL ORDERS PERMISSIBLE WITHOUT RE-REFERRAL. After a bill has been scheduled for third consideration, another date for third consideration may be requested, and the bill or resolution shall be so scheduled, however, any bill or resolution shall only be rescheduled three (3) times. If the House does not consider the bill or resolution on or before the fourth such scheduled time, the bill or resolution shall be automatically re-referred to the Committee on Calendar and Rules. The same shall apply to any bill or resolution that has been rescheduled without special order.

15. PETITIONS AND MEMORIALS - BRIEF STATEMENT. Before any petition or memorial addressed to the House shall be received and read at the table, a brief statement of the contents of the petition or memorial shall be filed with the Chief Clerk.

16. SYSTEM ENTRY CODE. Before any bill or resolution can be accepted by the Chief Clerk for the purpose of pre-filing and assigning a number, or any committee amendment or any other amendment in the first degree can be accepted for the purpose of attaching it to a bill, the document in question shall have a system entry code affixed thereto by the Office of Legal Services.

17. RESOLUTIONS. Resolutions shall be pre-filed with the Office of the Chief Clerk by 4:00 p.m. for introduction the following day and referral to the appropriate standing committee. However, all congratulatory and memorializing resolutions shall automatically be introduced the

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day of filing or the first legislative day thereafter and placed on the next Consent Calendar in accordance with Rule No. 50.

Joint resolutions calling for joint conventions shall be referred by the Speaker to a committee consisting of the Speaker, the Majority Leader and the Minority Leader for immediate consideration. The committee shall report its recommendations concerning the proposed joint convention to the House.

18. DUTIES OF MEMBERS TOWARD SPEAKER. No member shall be recognized by the Speaker unless the member addresses the chair from such member's desk. In all cases the member who shall first rise shall be entitled to speak first; but when two (2) or more members shall rise at the same time, the Speaker shall name the member who shall speak first.

When any member is about to speak in debate or deliver any matter whatever to the House, such member shall rise, and respectfully address the chair and await the notice of the Speaker. After recognition by the Speaker, the member shall proceed with making remarks which strictly conform to the question under debate and avoid all personalities.

19. TRANSGRESSION OF RULES BY MEMBER. Any member who, in speaking or otherwise, transgresses the Rules of the House, the Speaker shall, or any other member may, call such transgressing member to order, in which case the member so called to order shall immediately sit down, unless permitted to explain; and the House shall, if appealed to, decide the case without debate. If there be no appeal, the decision of the Chair shall prevail. If the decision be in favor of the member called to order, such member shall be permitted to proceed, without leave of the House. If otherwise, such member shall not be permitted to proceed. In case any member objects and continues, without leave of the House, and if the case require it, such member shall be liable to the censure of the House.

20. ATTENDANCE OF MEMBERS REQUIRED. No member shall be absent from service in the House without leave first obtained; and in case a less number than the quorum of the House shall convene, the Speaker is hereby authorized to send the Sergeant-at-Arms, or any other person or persons, for any or all absent members. This shall be done at the expense of such absentees, respectively, unless such excuse for nonattendance shall be rendered as the House, when a quorum is convened, shall deem sufficient.

21. TIME LIMITS OF DEBATE. Each member shall be limited to fifteen (15) minutes in such member's opening remarks and shall be limited to ten (10) minutes in rejoinder in discussion upon the floor of the House, EXCEPT by a majority of the members present, the House may increase or decrease the limitations of time herein set out for debate on a particular bill, resolution or motion.

22. PERSONS ADMITTED ON FLOOR OF HOUSE. The Sergeant-at-Arms shall admit no person into the House Chamber thirty (30) minutes prior to and during any session except members of the General Assembly, employees of the House as designated by the Speaker of the House, employees of the Senate as designated by the Speaker of the Senate, employees of the Office of Legal Services, employees of the Office of Legislative Information Services, Fiscal Review Committee staff, as designated by the Speaker of the House, members of the Capitol Hill Press Corps as designated by the chair of the Corps and approved by the Speaker of the House, and the Chaplain and the Physician of the Day. All visitors and spectators shall have access to the gallery so long as they preserve order.

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23. EVERY MOTION MUST BE SECONDED. Every motion must be seconded by some member of the House other than the proponent of the motion and upon failure of a second, the Speaker shall declare the motion failed for lack of a second.

24. MOTION REDUCED TO WRITING. The Speaker may require any motion to be reduced to writing and placed on the desk of the Clerk.

25. WHAT MOTION DEBATABLE. All motions shall be subject to debate except the following motions:

- (1) To adjourn
- (2) Lay on the table
- (3) For the previous question

Provided, however, the proponent of any motion sought to be tabled shall have the right to be heard after the motion to table is made and before said motion to table is put to vote.

26. PRECEDENCE OF MOTIONS. When any question or motion is under debate in the House, the following motions only shall be in order and may be entertained by the Speaker:

- (1) To adjourn
- (2) To lay on the table
- (3) For the previous question
- (4) To postpone to a day certain
- (5) To commit or recommit
- (6) To amend

Each of said motions shall take precedence in the order set out herein.

27. NO MOTION TO ADJOURN OR PREVIOUS QUESTION UNTIL FURTHER BUSINESS. When a motion to adjourn or a call for the previous question shall have been made and failed, the Speaker shall not entertain another motion to adjourn or a call for the previous question until some business has been transacted since the last motion to adjourn or a call for the previous question was voted upon.

28. WHEN MOTION NOT TO BE ENTERTAINED BY SPEAKER. After the Speaker has submitted a question or after there has been a roll call or count of the House, the Speaker shall not entertain or recognize a member on a point of personal privilege or otherwise until a decision of the House has been declared by the Chair. At any other time, a member may rise to a point of personal privilege but such member shall confine such remarks to questions affecting the rights, reputation and conduct of the member in such member's official capacity, and shall not address remarks to any question germane to substantive matters being considered.

29. DEMAND OF ROLL CALL. Any question or motion (except final passage of a bill) may be put to the House by a voice vote at the discretion of the Speaker; provided, however, that, as required by the Constitution of Tennessee, any five (5) members of the House may require a roll call of the membership of the House and said members desiring a roll call shall indicate their desire by raising their hands. All votes taken upon final passage on third consideration of a general bill and all votes taken on demand by any five (5) members as provided for shall be taken by the electronic roll call system, provided that the Speaker may require the calling of the names of the members in alphabetical order and each member shall then answer "Aye" or "Nay" when such member's name is called by the Clerk without debate. Whenever the electronic roll call system is

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used, the Clerk shall preserve the record of the votes of the members by making the printed roll call as authenticated by the roll call system a part of the rough journal. All members casting votes by the electronic roll call machine shall be at their proper desks at the time for voting with the exception of the Speaker and sponsor moving passage of the bill under consideration. No member shall vote for another member on the electronic roll call system or otherwise. A member temporarily away from their desk, but within the House Chamber, may request the Clerk to record their vote before the result is announced by the Speaker. If a member is deemed absent by the Clerk during voting, the Clerk shall lock the member's electronic roll call machine. In the event the electronic roll call system is inoperative, all questions shall be put to the House by voice vote or by calling the roll as circumstances may require.

30. EXPLANATION OF VOTE. Any member may have written into the Journal an explanation of such member's vote on any particular motion, resolution, or bill by presenting to the Clerk an appropriate explanation in typewritten form. However, an oral explanation is not a matter of privilege and shall not be allowed from the floor.

31. CHANGE OF VOTE. Any member's vote on a roll call vote may be changed if such member requests such change before the result of the roll call is announced by the Speaker. After the result of the roll call is announced by the Speaker, no member may change such vote and the Journal entry shall not be altered. However, any member not voting at the time the roll call was taken, or any member voting on the original question but wishing to express a desire to change such member's original stand, may, have entered on the Journal a typewritten statement of support of or opposition to the question upon which the vote was taken.

32. APPEALS TO HOUSE ON RULINGS OF SPEAKER. Any five (5) members of the House may appeal to the House from the ruling of the Speaker and a majority vote of the members present shall decide the appeal.

No member shall speak more than twice on the appeal except with the permission of the majority of the members present

33. WHO MAY ADDRESS SPEAKER. No one may address the Speaker except a member of the House.

34. DIVISION OF QUESTION IN DEBATE. If the question in debate contains several points, any member may have the same divided; but no bill shall be divided on third and final consideration.

35. OTHER PAPERS AND VISUAL AIDS. When the reading of a paper is called for and the same is objected to by any member, it shall be decided by a vote of the House without debate. Distribution of other papers to the desks of the members shall be restricted to general announcements only, can only be accomplished upon request of a member of the House and must reflect the name of the requesting member. No props or other devices shall be used as visual aids for the advocacy of, or opposition to, any bill or resolution.

36. PREVIOUS QUESTION. The previous question shall only be admitted when demanded by two-thirds (2/3) of the members present. It may be applied to the main question, the main question and amendment, or to the main question and amendment to the amendment. If the question prevails on the main motion, its effect shall be to preclude all future amendments and terminate all debate. When a member's turn to be recognized comes and that member, during that turn of recognition, wishes to call the previous question, the member may not debate that

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issue at that time, but must only move for the previous question. The proponent of the motion, amendment, resolution or bill shall have the right to close the debate thereon, and no call for the previous question shall cut off this right. However, when the demand for the previous question has been made and rejected under the foregoing provision but received a majority vote of the members of the House, it shall be in order, upon the demand of any five (5) members of the House, for the Committee on Calendar and Rules to meet and fix or limit the time in which debate on said question shall be closed, which decision shall be binding upon all membership of the House.

37. TABLED MOTION - HOW REMOVED, ETC. When any bill, resolution, or motion is laid on the table by a vote of the House, it shall require a two-thirds (2/3) vote of those members present to take it from the table; but it shall require only a majority of the votes (a quorum being present) to lift from the table a vote rejecting a bill, resolution, or a motion.

38. BILLS DISPLACED BY SUBSTITUTION TABLED. When a bill has been substituted for another bill, the bill displaced by the substitution shall be considered as tabled.

39. WHEN BILL OR RESOLUTION FAILS TO RECEIVE CONSTITUTIONAL MAJORITY. When any bill or resolution is voted upon, but fails to receive a constitutional majority, the same shall be automatically re-referred to the Committee on Calendar and Rules and shall not be set again for a calendar unless it is recommended by two-thirds (2/3) of the committee members entitled to vote at a meeting of the committee. Any bill so rereferred during the final seven (7) days of the session shall not be again placed on the calendar for consideration during that session unless called for by a favorable vote of two-thirds (2/3) of the members to which the House is entitled under the Constitution, in which case it shall be placed in the next available position on the calendar for a succeeding day. However, no bill or resolution may be voted on more than twice during this General Assembly.

40. MOTION TO RECONSIDER FOLLOWING FINAL PASSAGE. When a vote on final passage of a bill has been made and carried in the affirmative or negative, it shall be in order for any member voting with the prevailing side to move for a reconsideration thereof, at any time the same day or the next succeeding day of actual session. If the member moving the reconsideration shall request that motion be entered upon the Journal, it shall be done, and such member shall have exclusive control of the motion during that day and the next succeeding day of actual session; providing the motion has been duly seconded; and the motion shall be a privileged motion, taking precedence, when called up, over all other business. Thereafter, it may be called up by any member and disposed of by the House; however, no motion to reconsider a reconsideration shall be in order. No motion to reconsider shall be placed upon the Journal during the last seven (7) legislative days of any annual session.

41. NO CROWDING ABOUT CLERK'S DESK. Members shall not crowd or stand about the Clerk's desk.

42. WHO ALLOWED IN ROOMS OF CLERKS. No persons other than members and employees of the General Assembly shall be allowed in the offices of the Chief Clerk and Chief Engrossing Clerk during the period the House is in floor session.

43. INFORMATION REQUIRED ON COVERS OF BILLS AND RESOLUTIONS. Every bill or resolution introduced shall be typewritten on not less than a full page of paper.

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Each bill or resolution shall be enclosed in a manuscript cover and shall bear the signature(s) of the sponsor(s) on said cover and said cover shall also contain a succinct statement of the purpose or nature of said bill or resolution.

No member shall be permitted to be added as a sponsor to a bill or resolution without the written permission of the first prime sponsor; provided, however, if a piece of legislation purports to name a public facility (bridge, building, etc.), the member who represents the district in which said facility lies shall be allowed to be added as a prime sponsor. Only the first prime sponsor may request that a bill be put on notice. However, the first prime sponsor may designate in writing, filed with the office of the house clerk, such other prime sponsor(s) who shall have all the rights of the first prime sponsor as to action on a bill.

The Chief Clerk shall delete the name of any member who is not the only prime sponsor from any bill or resolution upon receipt of such request in writing.

When a member introduces a bill or resolution, the Clerk shall immediately give the same a House number.

44. FILING OF BILLS FOR INTRODUCTION.

(a) Bills which have not been assigned a system entry code by the Office of Legal Services shall not be accepted for filing or pre-filing by the Office of the Chief Clerk.

(b) All bills for introduction shall be filed with the Chief Clerk no later than 4:00 p.m. on the day preceding the date of introduction.

(c) In the interim between sessions, any member of the House may pre-file a bill or resolution for introduction in the next session and the procedure shall be as follows:

(1) The bill or resolution shall be filed with the Chief Clerk of the House by the member in the number and form prescribed by the Rules of the House.

(2) The Chief Clerk shall number the bill or resolution and note thereon the date of the first day of the next session, on which the bill or resolution will be introduced and, in the case of bills, will pass first consideration.

(3) After written request of the sponsor of a pre-filed bill or resolution, the Speaker of the House may refer the bill or resolution to the appropriate committee to be studied and considered by the committee, or a subcommittee thereof, during the interim between sessions.

(d)

(1) No member may file more than fifteen (15) bills during each annual session of a General Assembly, except that a chair of a standing committee may file an additional five (5) bills on subjects that pertain to the committee of which he or she chairs.

(2) For the purposes of this Rule 44(d), "bill" means general bills and resolutions, except as provided in subdivision (3).

(3) The following general bills and resolutions are excluded from the limits imposed by this Rule 44(d):

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- (A) General bills of local application as specified in their captions and local bills;
- (B) Administration bills and resolutions, limited to seventy-five (75) per annual session exclusive of bills and resolutions otherwise exempt from the limitation in this subsection;
- (C) Resolutions approving amendments and revisions to rules of procedure promulgated by the Supreme Court and the annual codification act;
- (D) Annual appropriations bills, supplemental appropriations bills, bond bills, index bills and bills that contain in their caption the following language, "relative to statutory revisions required for implementation of the annual appropriations act";
- (E) General bills sponsored and designated by an officer of the Government Operations Committee concerning extensions and terminations of entities or rules;
- (F) Resolutions that are memorializing or congratulatory in nature and are not referred to a standing committee;
- (G) Resolutions confirming appointments or authorizing annual charitable events;
- (H) Resolutions that are procedural in nature and are not referred to a standing committee; and
- (I) Any bill or resolution withdrawn from the House by the first prime sponsor, if withdrawn on or before the tenth (10th) legislative day the House convenes for the transaction of business in any regular legislative session.

(e) Notwithstanding the bill filing limitation in Rule 44(d), any member may petition the rules committee for an exception to exceed the limitation on or before the tenth (10th) legislative day the House convenes for the transaction of business in any regular legislative session. Any such petition shall include the reasons for the exception and the jacketed copy of the bill or resolution for which the exception is sought. If approved by a majority vote of the total membership of the rules committee, the bill or resolution shall be introduced.

45. BILLS TO BE NUMBERED. Each bill introduced shall be numbered in numerical order by the Clerk and said bill shall bear said number and be designated by said number in all future considerations of the same in the House. No bill shall be assigned a number by the Clerk or be referred by the Speaker to a committee for consideration unless it contains a title or caption; an enacting clause stating, "Be it enacted by the General Assembly of the State of Tennessee:" and language following the enacting clause purporting to state new law or to amend or repeal existing law. Further, no bill that has not been assigned a system entry code by the Office of Legal Services shall be accepted or numbered by the Office of the Chief Clerk.

46. ONE CONSIDERATION PER DAY'S SESSION. Only one (1) consideration of a bill may be had in the House in any day's session.

47. SECOND CONSIDERATION - REFERRED TO COMMITTEE. After the passage of a bill on second consideration, all bills shall be referred by the Speaker to the appropriate committee. A bill assigned to a committee may be reassigned to a different committee only at the discretion of the Speaker. Such reassignment shall be noted by the Clerk. Any bill certified by its sponsor to be a caption bill or which is deemed so by the Speaker, shall receive first and second consideration and then shall be held on the Clerk's desk pending the filing of an amendment in proper form. After the filing of the amendment, the bill shall be referred by the Speaker to the

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proper committee. Any caption bill that fails to state a subject shall be held on the Clerk's desk until withdrawn by the sponsor.

48. SUBSTITUTE SPONSOR OF LOCAL BILL. Should a Member be on active military duty and unable to attend legislative session then the Speaker may appoint another member to handle the affected members duties and rights with respect to Local Bills.

49. DUTIES OF COMMITTEE ON CALENDAR AND RULES CONCERNING CALENDAR. All bills having been considered and reported out of the standing committee to which referred shall be automatically transmitted to the Committee on Calendar and Rules without further reference by the Speaker; and no bill of general nature shall be considered for third and final passage until a written calendar, from the Committee on Calendar and Rules, giving notice of such bill, has been posted in a regular place in the House Chamber at least forty-eight (48) hours prior to such consideration. Not more than twenty-five (25) general bills shall be placed on the calendar for final consideration on any one (1) day, and this number shall include any bills carried over from previous calendars or any bills set for special order. Should the House not complete any day's calendar, all bills remaining unconsidered shall go to the top of the calendar on the next day that general bills are considered, provided that only so many of the said bills shall be carried over as will not cause the total to be considered on that day to exceed the aforesaid limit. Any bills remaining to be carried over in excess of that number shall be placed at the head of the calendar on a succeeding day or days, within the daily maximum of twenty-five (25). The foregoing maximum limitation on bills for daily consideration may be suspended by the Committee on Calendar and Rules by a two-thirds (2/3) vote of the total membership of said committee.

50. CONSENT CALENDAR. Any bills or resolutions which are not controversial in nature shall be placed on a Consent Calendar by the officers of the Committee on Calendar and Rules, except for those resolutions placed on the Consent Calendar pursuant to Rule No. 17. The Consent Calendar shall be printed and posted in a regular place in the House Chamber at least seventy-two (72) hours in advance of the time for such consideration.

Any member may object in writing to a bill or resolution on the Consent Calendar and if objection is raised, the bill or resolution shall be removed from the Consent Calendar and placed at the foot of the regular calendar for consideration on the day following removal from the Consent Calendar; provided, however, that any bill or resolution objected to and removed from the Consent Calendar on the final day of a session shall be placed at the foot of the regular calendar on that day.

Upon a motion for passage of the Consent Calendar pursuant to Rule 50, the appropriate language shall be spread in the Journal:

"all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in."

51. SPONSOR OF BILL AND CHAIR OF STANDING COMMITTEE PROPOSING AMENDMENT TO BILL MUST BE PRESENT. No bill may be considered on third and final reading unless the sponsor of said bill and the chair, or the chair's designee, of a standing committee which has recommended any amendment or amendments to the bill shall be present

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in the House, unless such sponsor or chair shall have previously indicated in writing to the Speaker permission for same to be brought up in such member's absence. However, if such sponsor, the chair or the chair's designee is not present in the House within one (1) hour from the time the bill is reached on the calendar, or the calendar is completed, this requirement is waived and the House may proceed to consider the bill in the absence of such sponsor, the chair or the chair's designee.

52. SUBSTITUTE SPONSOR OF BILL. Upon the death or disability requiring the absence from the House of any sponsor of a bill, the Speaker may name one (1) of the cosigners of said bill as sponsor, and if only one (1) person shall have signed said bill as sponsor, and said sponsor becomes unable to be present in the House, the Speaker may name any person favorable to said bill as sponsor.

53. RECALL OF BILL FROM COMMITTEE. Except during the organizational session, after any bill or other matter shall have been in any standing committee for seven (7) days, the same may be called for by two-thirds (2/3) of the members to which the body is entitled under the Constitution and placed upon the calendar of the Calendar & Rules Committee. Such action shall be in order only after a signed notice giving the number of the bill to be called for has been filed with and announced by the Clerk at least one (1) day prior to offering a motion to withdraw said bill from the standing committee in which it is held. When a bill has been recalled from a standing committee to which it was assigned by the Speaker, it shall be placed at the top of the Calendar & Rules calendar on the next day on which the committee meets. This rule (rule 53) may not be suspended.

54. RECALL OF BILL OR RESOLUTION FROM SENATE OR GOVERNOR. Upon motion, the House acting by the written message of the Clerk may request the return of a bill or resolution from the Senate. If a bill has been transmitted to the Governor, upon motion, the forwarding body acting by written message of the Clerk may request the return of the bill or resolution from the Governor.

55. BILL MAY BE RECOMMITTED. After commitment and report thereof to the House, at any time before its passage, a bill may be recommitted, provided the recommitment of the bill during the last seven (7) days of a session shall prohibit further consideration of the bill during that session unless recalled under Rule 53.

56. PRECEDENCE OF SENATE BILLS. Bills coming from the Senate shall have precedence of bills in the House on the same subjects.

57. CERTIFIED BY CLERK. When a bill shall pass it shall be certified by the Clerk, noting the day of its passage at the foot thereof.

58. BILLS TO BE EXAMINED BY CHIEF ENGROSSING CLERK. All bills passed in the House shall, before they are sent to the Senate, be examined by the Chief Engrossing Clerk, whose duty it shall be to examine all bills, amendments, resolutions or motions, before they go out of the possession of the House, and to make report that they are correctly engrossed, which report shall be entered in the Journal. The Chief Engrossing Clerk shall correct any misspelled words in such documents prior to transmission.

59. CONCURRENCE OF HOUSE IN SENATE AMENDMENTS. When a House bill is returned from the Senate with an amendment or a substitute for the House bill, the "ayes" and "noes" shall be called for on the concurrence in the amendment or the passage of the substituted

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bill and entered on the Journal of the House. No said amendment or substituted bill shall be considered as concurred in or passed unless a majority of the members to which the House is entitled shall have voted affirmatively therefor and the said vote shall have been entered on the Journal. Any measure coming from the Senate with an amendment or a substitute for the House bill shall lie over one (1) day except on the final two (2) legislative days of a session.

No measure coming from the Senate with an amendment or any other Senate action requiring House concurrence or non-concurrence shall be acted on by the House until the Chief Clerk has announced that the measure has been returned from the Senate requiring further action by the House. This announcement shall be made on the legislative day prior to consideration of the measure by the House under the order of unfinished business except during the final four (4) legislative days of the session. The Chief Clerk will see that an impact summary of the Senate action on the measure as prepared by the Office of Legislative Information Services is placed on a special Senate Message Calendar to be printed and placed on the members' desks on the legislative day immediately following the announcement. The impact summaries will appear in numerical order regardless of the nature of the measure.

60. AMENDMENTS TO BILLS.

(a) No amendment beyond the second degree shall be entertained, that is, an amendment to an amendment; and in all such cases, the vote on the respective amendments shall be had in the reverse order in which the same were made.

(b) Except for amendments correcting grammatical or typographical errors, those simply changing dates or the effective date clause or amendments offered on the last day of any general session, the following shall apply to amendments offered by members of the House:

(1) Notice of the proposed amendment or amendment to an amendment has been given by two o'clock p.m. (2:00 p.m.) central time of the day prior to its consideration by the House; provided that, for Monday's calendar, notice of the proposed amendment or amendment to an amendment has been given by twelve o'clock (12:00) noon central time on the day of consideration. A copy of the proposed amendment or amendment to an amendment shall be made available to each member of the House; or

(2) The amendment has been considered by the standing committee which considered the bill itself, and the Committee has made a recommendation concerning the adoption of the amendment in the same manner that the Committee made its recommendation concerning the passage of the bill, a copy of said amendment shall be made available to each member of the House prior to a vote on same; or

(3) With the approval of both leaders or by a two-thirds (2/3) vote, of the members present and voting, for consideration of the amendment if there has not been compliance with either subdivisions (1) or (2) above.

(c) The sponsor of an amendment that has not been filed in compliance with House Rule 60 (b) shall be limited to a one (1) minute explanation of the amendment to be considered.

61. TABLING OF AMENDMENT KILLS SAME. When a motion to lay on the table an amendment, in the first or second degree, to a pending bill, resolution or other matter, prevails, it shall be a final defeat of the tabled amendment, and the further consideration of such bill, resolution, or other matter, may be at once continued.

62. NO RIDER. No amendment by way of a rider shall be received.

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63. MOTION TO REJECT. When a bill receives a constitutional majority in the negative on a motion to pass on third and final consideration, or when a resolution receives a constitutional majority in the negative on a motion to adopt or concur on final consideration, the Speaker, after the announcement of the vote by the Clerk, shall say "(document type and number), having received a constitutional majority in the negative on a motion to pass on third and final consideration (or adopt or concur), I hereby declare the floor now open for a motion to reject." If a member makes the motion to reject, that motion and the bill or resolution in question will lie over the remainder of that legislative day and the Speaker will direct the Chief Clerk to place the bill or resolution in question at the heel of the regular calendar set for the next legislative day.

When a bill or resolution is considered on the next legislative day, no other motion shall be in order until the motion to reject has been disposed of and the Speaker has declared the final status of the bill or resolution in question. If the motion to reject passes, the Speaker, after the announcement of the vote by the Clerk, shall say "(document type and number), having received a constitutional majority in the negative on the motion to pass on third and final consideration (or adopt or concur), and having received a constitutional majority in the affirmative on the motion to reject, I hereby declare (document type and number) rejected under the terms set forth in Article II, Section 19, of the Constitution of the State of Tennessee."

If no motion to reject is made, or if a motion to reject is made and fails to receive a constitutional majority, the Speaker shall re-refer the bill or resolution in question to the Committee on Calendar and Rules.

If the motion to reject as provided for in this rule is passed, then (a) pursuant to Article II, Section 19, Tennessee Constitution, no bill containing the same substance shall be passed into a law during this General Assembly, and (b) the motion to reconsider shall be out of order.

Motions to reject shall not be in order except as provided above.

64. MOTION TO RECONSIDER EVERY BILL MUST BE ACTED UPON. The Clerk shall transmit to the Senate no bill, resolution, message, report, amendment, or motion nor shall the Chief Engrossing Clerk present any bill or resolution to the Governor for his action until the motion to reconsider shall have been acted upon and said action entered on the Journal.

65. STANDING COMMITTEES. There shall be the following standing committees, each of which the Speaker and the Speaker Pro Tempore shall be members, to wit:

- (1) Agriculture and Natural Resources
- (2) Commerce
- (3) Consumer and Human Resources
- (4) Education
- (5) Finance, Ways, and Means
- (6) Government Operations
- (7) Health
- (8) Insurance
- (9) Judiciary
- (10) Local
- (11) Naming, Designating, and Private Acts
- (12) State
- (13) Transportation

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Provided, however, the Speaker Pro Tempore shall only vote when the Speaker is not present and voting, except on those standing committees to which the Speaker Pro Tempore has been regularly assigned.

There shall be a committee on Calendar and Rules to be composed of the Speaker, the Speaker Pro Tempore, the Majority Leader or such leader's designee, the Majority Caucus Chair, the Minority Leader or such leader's designee, the Minority Caucus Chair, two members each of the majority and minority parties appointed by and to serve at the pleasure of the Speaker, one (1) chair, and one (1) vice chair appointed by the Speaker under House Rule 7; and the chair of each standing committee listed above. It shall set the calendar and establish hours and places of meeting of the various standing committees. In establishing the hours and places of meeting of the various standing committees, the Committee on Calendar and Rules shall, insofar as possible, establish regular meeting times and days which shall avoid conflict among the various standing committees. No standing committee shall have more than thirty (30) appointed members. No member shall serve on more than three (3) standing committees, exclusive of the Committee on Calendar and Rules, the Joint Legislative Services Committee, and the Fiscal Review Committee, except the Speaker and the Speaker Pro Tempore who shall be voting members of all standing committees as stated in the rule (65). Provided further, the Speaker Pro Tem or designee, the Majority Leader or designee, the Minority Leader or designee, the Democratic Caucus Chair and the Republican Caucus Chair shall serve as members of the Government Operations committee, as well as they may serve on three other standing committees.

66. NO SPECIAL COMMITTEES - WHEN. No special committee shall be appointed for any purpose when there is a standing committee on the same subject.

67. MEETING OF COMMITTEES - WHEN. No committee of this House shall remain in session during the sessions of the House, unless by permission of a majority of members present. All committee meetings, except meetings held when the House is in recess or adjourned, shall be announced in open session by the Chair, and the time and place of meeting shall be designated at the same time and shall conform with the schedule established by the Committee on Calendar and Rules under House Rule 65. Committee meetings held on days when the House is in recess or adjourned shall be announced in open session or by written notice, furnished to each member of the House not less than seventy-two (72) hours prior to the meeting time. Committee meetings may be called by the Chair of the Standing Committee, upon approval by the Speaker of the House when the House is in recess or adjourned and shall be called by the Committee Chair when petitioned in writing, signed by a majority of the members of the Committee. Notwithstanding any rule to the contrary, when the House of Representatives is not in floor session, standing committees, subcommittees, committees created pursuant to resolution, committees created pursuant to statute and ad hoc committees of the Regular Session are authorized to meet and conduct business during any extraordinary session of the General Assembly.

68. COMMITTEE OF WHOLE. In forming a Committee of the Whole, the Speaker shall leave the chair, and the Speaker shall appoint a Chair of the Committee of the Whole to preside.

69. PROCEEDINGS IN COMMITTEE OF THE WHOLE. Upon a bill being committed to a Committee of the Whole, the bill shall be read throughout by the Clerk, if demanded by any member, and then again read and debated by clauses, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined; but all amendments, noting the page and the line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the Committee, and so reported to the House. After report, the bill shall again be debated and amended by clauses before its final passage. The rules of the House shall be observed in

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Committee of the Whole so far as applicable, but no member shall speak twice to any question until every member choosing to speak shall have spoken.

70. AMENDMENTS IN COMMITTEE OF WHOLE. All amendments made to a report committed to a Committee of the Whole shall be noted and reported, as in the case of bills.

71. AMENDMENTS IN STANDING COMMITTEES AND BILLS INITIATED BY STANDING COMMITTEES. The standing committees may initiate legislation as a committee in addition to acting upon legislation referred to such standing committees. Such legislation initiated by the committee shall be introduced by the chair or the chair's designee and such other members of the committee as may wish to join therein.

When a standing committee recommends a bill for passage only with the adoption of an amendment or amendments approved by a majority vote of the standing committee, the committee chair shall cause such committee amendment or amendments to be prepared in proper typewritten form and filed with the Chief Clerk of the House. Bills reported out of standing committees with committee amendments cannot be considered by the Committee on Calendar and Rules unless the committee amendment is attached thereto. The Chair of said standing committee shall cause said committee amendment to be prepared and filed with the Chief Clerk within twenty-four (24) hours from the time the bill was reported out. The preceding two (2) sentences shall not apply to the General Appropriations Bill. No committee amendments shall be accepted by the Chief Clerk for filing unless said amendment is labeled with a system entry code assigned by the Office of Legal Services.

No later than twenty-four (24) hours prior to the time the bill recommended for amendment is scheduled for consideration on the floor of the House, the Chief Clerk shall cause the recommended amendment or amendments to be made available to each member of the House. After the bill has been explained and its passage moved by the sponsor, the chair of the standing committee recommending the amendment, or chair's designee, shall then be recognized for the explanation of and debate on such amendment or amendments. It shall be the responsibility of the Chief Clerk to ensure that the foregoing procedures are observed in the consideration of amendments recommended by standing committees. It shall also be the responsibility of the Chief Clerk to denote clearly that such amendment or amendments were recommended in a standing committee and to write on the face of the amendment the committee which made the recommendation and the date on which the recommendation was made.

72. FISCAL MEASURES. Any bill or resolution having a fiscal effect, other than not significant as indicated on the fiscal note, shall be referred to the Committee on Finance, Ways and Means after consideration by the appropriate standing committee. The Committee on Finance, Ways and Means may offer committee amendments relating to fiscal concerns only, and shall not offer amendments relating to other substantive portions of the bill. If the Committee on Finance, Ways and Means recommends the bill or resolution for passage, the bill or resolution shall be referred to the Committee on Calendar and Rules. No bill or resolution having a fiscal effect, other than not significant as indicated on the fiscal note, shall be put upon final passage until the same has been referred to and recommended by the Committee on Finance, Ways and Means.

Should a standing committee recommend a bill or resolution for passage with an amendment or amendments which create a fiscal effect, other than not significant as indicated on the fiscal note, then, the chair of the standing committee shall refer the bill along with the recommended committee amendment or amendments to the Committee on Finance, Ways and Means.

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Should a standing committee recommend a bill or resolution for passage with an amendment or amendments which negate a fiscal effect as indicated by not significant on the fiscal note, the standing committee shall not refer the bill or resolution to the Committee on Finance, Ways, and Means unless the subject of the bill or resolution is within the subject matter jurisdiction of the Committee on Finance, Ways, and Means but shall instead refer the bill or resolution to the otherwise appropriate committee. However, should an amendment or amendments which negate a fiscal effect not be adopted on the floor which cause the bill or resolution to have a fiscal effect and such bill or resolution not have been previously considered by the Committee on Finance, Ways, and Means, then the bill or resolution shall be automatically referred from the floor to the Committee on Finance, Ways, and Means.

Should a floor amendment or amendments to a bill or resolution be adopted which cause a bill or resolution to have a fiscal effect, other than not significant as indicated on the fiscal note, and the bill or resolution not have been previously considered by the Committee on Finance, Ways and Means, then the bill or resolution shall be automatically referred from the floor to the Committee on Finance, Ways and Means.

73. CONFERENCE COMMITTEES. A motion for the appointment of a conference committee shall be in writing and shall state the purpose or purposes for which the committee is created. Every conference committee report shall refer to the motion by which the committee was created and shall set forth the instructions contained therein followed by the recommendations of the committee which shall conform to such motion and its instructions. No member of a conference committee may sign more than one (1) report. No report of a conference committee or any part thereof shall be adopted and incorporated into pending legislation unless the same shall have received the affirmative vote of a majority of the members to which the House is entitled under the Constitution and a motion to reconsider shall have been acted upon and entered on the Journal.

74. CHANGE AND SUSPENSION OF RULES. The rules of the House may be altered, amended, or suspended by a two-thirds (2/3) vote of the members to which the House is entitled; a motion to alter or amend, but not suspend, the rules shall in all cases lie over one (1) day. This rule (Rule 74) may not be suspended on motion to alter, amend, or suspend the rules. A motion to suspend the rules shall be for a stated purpose and subsequent suspension of the rules shall be limited to that stated purpose.

75. ADJOURNMENT. Adjournment shall be to the hour of 12:30 p.m. on the following day unless otherwise specified by the majority of those members present and voting. During the last two (2) weeks of a session, the House shall convene at 9:00 a.m., recess at 12:00 noon, reconvene at 2:00 p.m., and adjourn on or before 7:00 p.m., unless otherwise specified by a two-thirds (2/3) vote of those present and voting.

76. ENTER RULINGS. The Clerk of the House shall enter on the Journal all rulings by the Speaker on points of order. The Clerk or any member may request that the Speaker submit such ruling in writing at the close of the day on which the ruling was made.

77. ACTION ON BILLS INTRODUCED AFTER 10th DAY. Except as otherwise provided in this rule, any bill or resolution subject to the filing limitation of Rule 44(d) and those exempted in rule 44(d)(3) sections (B), (D) and (E) prefiled after the tenth (10th) legislative day the House convenes for the transaction of business in any regular legislative session, shall be prefiled for

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introduction and referred to the delayed bills committee. If approved by unanimous consent of the delayed bills committee, the bill or resolution shall be introduced.

Any Senate Joint Resolution introduced in the Senate after the tenth (10th) legislative day the House convenes for the transaction of business in any regular legislative session which would be subject to the filing limitation of Rule 44(d) if introduced in the House shall, upon receipt from the Senate, be referred to the delayed bills committee. If approved by unanimous consent of the delayed bills committee, the Senate Joint Resolution shall be referred to the appropriate committee.

Any Senate Bill for which no companion bill has been filed shall be held on the desk of the Clerk until a companion House Bill is filed and scheduled for third consideration.

Any bill or resolution prefiled but not receiving unanimous consent of the delayed bills committee may be called for by two-thirds (2/3) majority of the members to which the body is entitled under the Constitution, in which case it shall be introduced.

The Delayed Bills Committee shall consist of the Speaker, the Majority Leader, and the Minority Leader and shall meet at the call of the Speaker.

78. VETO. Upon receipt of a veto message and return of a bill or resolution from the Governor, or a receipt of a message from the Senate advising the House that a bill or joint resolution has been passed by the Senate, the Governor's veto to the contrary notwithstanding, the Clerk shall read the message and cause the same to be spread at large upon the Journal. Thereafter, the sponsor of the bill or resolution may, upon twenty-four (24) hours typewritten notice and within three (3) legislative days after the filing of said notice, except the last legislative day of any annual session such notice shall not be required, move the House under the item of Unfinished Business to pass the bill or resolution, notwithstanding the objections of the Executive. If the motion shall prevail by a favorable vote of a majority of the members to which the House is entitled under the Constitution, the bill or joint resolution shall then be transmitted to the Senate unless the same was originally received from the Senate subsequent to its prior approval.

Nothing in this rule shall serve to prohibit the filing of subsequent notices to move the House to pass the bill or resolution, notwithstanding the objections of the Executive, if affirmative action is not taken on the motion first noticed.

79. MASON'S MANUAL OF LEGISLATIVE PROCEDURE TO GOVERN. If any question shall arise which is not provided for in these rules, the same shall be governed by Mason's Manual of Legislative Procedure (latest edition existing on date of adoption of these rules), which is hereby adopted.

80. FLOOR PRESENTATIONS. Each member shall be allowed two (2) floor presentations during the 112th General Assembly. Presentations are not transferable between members.

81. ELECTION CONTESTS. Each election contest in the House of Representatives shall be initiated by complaint timely received within five (5) days after certification of the election and shall proceed with the introduction of a resolution creating an ad hoc committee to be appointed by the Speaker composed of three (3) members of the majority party and three (3) members of the minority party. The Speaker shall designate one (1) member chair. An ad hoc committee may, as part of its findings and recommendations, recommend the award of reasonable costs and attorney fees against a contestant if the committee determines that the contest was maliciously

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or frivolously prosecuted. All issues raised in an election contest shall be resolved during the General Assembly in which the contest is initiated and no issue shall be heard after such General Assembly adjourns *sine die*. An ad hoc committee shall timely report its findings and recommendations to the full House of Representatives. Upon approval by a majority of the members of the House, such findings and recommendations shall become the final action of the House of Representatives.

82. ETHICS CODE FOR THE HOUSE OF REPRESENTATIVES.

Article I. Findings and Purpose

The House of Representatives finds that it is essential in the conduct of the public business that representatives hold the respect and confidence of the people. Representatives should avoid conduct that even appears to violate the trust that the people have placed in them. To ensure and preserve public confidence, representatives should have the benefit of specific standards to guide their conduct. Article II, Section 11, of the Constitution of Tennessee grants to the House of Representatives the power to judge the qualifications of its members. It is the purpose of this code to establish standards of conduct for the representatives, to authorize the House Ethics Committee to consider alleged violations of this code, and to authorize the House Ethics Committee to render advisory opinions to the representatives. This code is in addition to and separate from standards of conduct that may be required under state or federal law.

Article II. Ethical Standards

SECTION 1.

(a) In order to maintain the integrity and reputation of the House of Representatives, the following conduct is a violation of this Ethics Code:

(1) Actions that destroy a representative's independence of judgment as a legislator;

(2) Actions that are an abuse of the representative's official position, including, but not limited to, placing undue influence upon any state department, agency, court or governmental subdivision;

(3) Actions that are a personal interest in conflict with the proper discharge of the representative's duties in accordance with the provisions of Sections 2 and 3 of this Article;

(4) Actions that are a violation of a state or federal statute that are punished as a felony; and

(5) Any conviction of a state or federal felony or misdemeanor arising out of a representative's official capacity as a member of the general assembly.

(b) Actions that constitute a significant, material violation of Tennessee Code Annotated Title 2, Chapter 10, Title 3, or Title 8, Chapter 50, Part 5 may be a violation of this Ethics Code.

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(c) It shall also be a violation of this Ethics Code if a representative:

(1) Initiates or files a complaint or provides information to the House Ethics Committee or the Tennessee Ethics Commission knowing that the material statements in the complaint or the information is false;

(2) Initiates or files a complaint with the House Ethics Committee or the Tennessee Ethics Commission in reckless disregard of the truth or falsity of the statements contained in the complaint; or

(3) Initiates or files one or more frivolous complaints with the House Ethics Committee or the Tennessee Ethics Commission.

SECTION 2. A representative has a personal interest in conflict with the proper discharge of the representative's duties if the representative has reason to believe or expect that the representative will derive a direct monetary gain or any other advantage or suffer a direct monetary loss by reason of the representative's official activity and such representative has not complied with the provisions of Section 3 of this Article requiring disclosure of such personal interest.

SECTION 3. While recognizing that members of the House serve as members of a citizen legislature which reflects a variety of professions and occupations and while also recognizing that some degree of interest in certain legislation is inevitable, a representative shall not vote on or influence legislation if the member has a personal interest which is in conflict with the proper discharge of the representative's duties, unless the representative discloses such information to the Tennessee Ethics Commission in accordance with the requirements of Tennessee Code Annotated, Title 8, Chapter 50, Part 5. Compliance with the provisions of Tennessee Code Annotated, Title 8, Chapter 50, Part 5, shall constitute compliance with this Article regarding disclosure of personal interests. Compliance with the provisions of Tennessee Code Annotated, Section 2-10-127(d), shall constitute compliance with this Article regarding disclosure of personal interests resulting from a spouse, sibling or child of the representative who is a registered lobbyist.

Article III.

Indictments and Convictions

A representative against whom a presentment or indictment for a felony offense has been returned by a state or federal grand jury shall step down from any office as the chair, vice-chair, subcommittee chair, or any other officer of the House, a legislative committee or any leadership position appointed by the Speaker or elected either by the House membership or by a party caucus. The replacement of any committee officer or leader, appointed by the Speaker, who steps down shall be in accordance with the rules. If such officer or leader is not convicted of the felony offense, such officer or leader may return to serve the remainder of the officer's or leader's term of office subject to the decision of the person or entity with authority to appoint or elect them to the position. The membership or the appropriate caucus shall elect a representative to replace any leader elected by the membership or caucus who steps down, except as otherwise provided in these rules.

Article IV.

House Ethics Committee

SECTION 1.

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(a) The House Ethics Committee shall be composed of five (5) representatives of the majority party and five (5) representatives of the minority party. All representatives shall be appointed by the Speaker. The Speaker shall appoint the chair of the committee from such representatives.

(b) The House Ethics Committee shall have authority to render, upon written request of any representative, advisory opinions as to whether the facts and circumstances of a particular case constitute or will constitute a violation or probable violation of this Ethics Code. The identity of any representative requesting an advisory opinion, or any person involved in such request, shall be kept in confidence. With respect to an issue addressed in an advisory opinion, any person who conforms that person's behavior to the requirements of the advisory opinion may rely upon the advisory opinion without threat of sanction by the House Ethics Committee or the House of Representatives. Advisory opinions of the committee shall be in writing and signed by six (6) or more members of the committee.

(c)

(1) The committee shall have authority to receive and consider complaints, based upon personal or constructive knowledge, concerning alleged violations of this House Ethics Code from any representative including members of the committee; to initiate, upon vote of six (6) or more members of the committee, complaints concerning alleged violations of this House Ethics Code; to investigate complaints; to refer complaints to the Tennessee Ethics Commission in accordance with Tennessee Code Annotated, Section 3-6-105(c); to hold hearings; to make findings concerning complaints; and to recommend to the House of Representatives appropriate disciplinary action for a violation of this House Ethics Code.

(2) The committee may request the Office of Legal Services, the Comptroller of the Treasury, the Attorney General and Reporter, or any other state entity to assist the committee in investigating any complaint received or initiated by the committee.

(3) Except as provided in Section 1(c)(4)(B) and Section 2(c)(5)(C), all meetings of the House Ethics Committee shall be open to the public. All meetings of the House Ethics Committee held in a meeting room with permanent video technology shall be streamed live, and archived, on the web site of the Tennessee General Assembly.

(4)

(A) Except as provided in subdivision (4)(B), no complaint by a member of the House of Representatives alleging sexual harassment shall be received or considered by the committee. The chair, or committee staff, shall inform any member desiring to file such a complaint as to the appropriate procedure under the Tennessee General Assembly Policy on Workplace Discrimination and Harassment. Sexual harassment by members of the House of Representatives is unacceptable behavior, contrary to the policy of the Tennessee General Assembly, and discouraged in every form.

(B) In accordance with the Tennessee General Assembly Policy on Workplace Discrimination and Harassment, upon conclusion of the staff investigation under the

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policy, the complaint will be referred to the Workplace Discrimination and Harassment Subcommittee of the Ethics Committee for additional proceedings consistent with the policy. All meetings of the subcommittee shall be closed. In accordance with the policy, confidentiality of the parties involved shall be maintained to the greatest extent possible. The subcommittee shall be composed of two (2) representatives of the majority party and two (2) representatives of the minority party. All representatives shall be appointed by the Speaker. The Speaker shall appoint the chair of the subcommittee from such representatives. If a member of the subcommittee is the subject of a complaint or is recused, subcommittee staff shall notify the Speaker. The Speaker shall appoint a temporary replacement from the full committee who represents the same political party as the member to be replaced.

(d) The committee shall have authority to subpoena and compel the attendance of witnesses, administer oaths, take testimony, and require and compel the production of any documents or other items of evidence relative to any matter under investigation, and to issue show cause orders and attachments of the body. In accordance with the provisions of Tennessee Code Annotated, Title, 3, Chapter 3, the House Ethics Committee shall have all the powers granted to committees of this House.

SECTION 2.

(a) Complaints shall be in writing, signed by at least two representatives, one of which must have first-hand knowledge or evidence of the alleged violation, stating the specific ethical standard under Article II, Section 1 of this code or specific statute alleged to have been violated and all available facts, under oath or affirmation, based on personal or constructive knowledge, which oath or affirmation shall be taken personally before the chair or any member of the House Ethics Committee.

(b) Complaints initiated by the House Ethics Committee shall be reduced to a written complaint by the Chair of the House Ethics Committee, and need not be based on personal knowledge. Any person who believes a violation of this Ethics Code has occurred is encouraged to present such information to any member of the House Ethics Committee who may then determine to file a complaint under this Ethics Code.

(c)

(1) Prior to commencing any action based upon a complaint filed with the committee, the chair shall direct committee staff to examine the complaint to determine procedural compliance with the provisions of this code and whether it states a claim that can be properly heard by the Ethics committee. A complaint not properly received or filed with the committee shall be dismissed without prejudice. Committee staff shall inform any representative desiring to file such a complaint as to the appropriate procedure under this code for filing such a complaint. Complaints merely reciting, or referencing, newspaper or other media accounts of events or occurrences are not sufficient to file a complaint under this code; any complaint based partially on newspaper or other media accounts of events or occurrences should include at least one independent source in addition to such accounts.

(2) Prior to commencing any investigation based upon a complaint filed with, or initiated, by the committee, the committee shall meet and it shall require a vote of six (6)

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or more members of the committee to proceed with a complaint and to define the nature and scope of the committee's inquiry.

(3) If, after an initial investigation, six (6) or more members of the committee determine that there is reason to believe that a violation of the Ethics Code more probably than not occurred, a copy of the complaint shall be served upon the alleged violator along with a statement of the nature and the scope of the committee's inquiry.

(4) The representative shall have twenty (20) days after service thereof to respond in writing to the complaint, and the chair of the committee, with approval of seven (7) or more members of the committee, may extend the time to respond upon reasonable request.

(5)

(A) The committee shall convene within twenty (20) days of receiving the response from the alleged violator or, if no response is received, the committee shall convene not later than forty-five (45) days after service of the complaint upon the alleged violator. At such time, if six (6) or more members of the committee conclude that more probably than not a violation of the House Ethics Code has occurred, the committee shall set a time and place for a hearing. The complainant and the alleged violator shall be given reasonable notice of the time and place for the hearing. The committee shall provide an opportunity for the complainant and the alleged violator to be heard at the hearing. The alleged violator shall have the right to be represented by counsel and to provide evidence on the alleged violator's behalf, to confront and to cross examine witnesses and to have copies of all documents produced as evidence against them in a reasonable time prior to the hearing. The complainant and the alleged violator may request the committee to subpoena witnesses and require the production of documents or other items of evidence relevant to the proceedings, and to otherwise provide discovery of relevant evidence. Such request must be made at least ten (10) days prior to the hearing date. If a request to issue a subpoena is granted by six (6) or more members of the committee, such subpoena shall be issued in accordance with Tennessee Code Annotated, Title 3, Chapter 3.

(B) Notwithstanding any provision of this code to the contrary, the alleged violator may waive the hearing on the complaint and submit the matter directly to the judgment of the committee. Any such waiver shall be in writing and include a statement in response to the complaint; provided that such waiver may be included in the response provided pursuant to Section 2(c)(4). However, the committee, in the committee's sole discretion, may determine to hold a hearing on the complaint irrespective of waiver of the hearing by the alleged violator.

(C) All witnesses shall testify under oath and the hearing shall be open to the public; provided, however, that the committee may close all or part of the proceedings on unanimous vote. The committee shall not be bound by the strict rules of evidence, but the committee's findings shall be based upon competent and substantial evidence. All testimony and other evidence taken at the hearing shall be recorded by Library and Archives and a copy of such recording shall be maintained by Library and Archives.

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SECTION 3. The committee may take the following actions on any complaint:

(1) At any time, the committee may dismiss a complaint if six (6) or more members of the committee find that no violation has occurred, or that no punishment or censure is warranted.

(2) After a hearing, or waiver of a hearing, as provided in Section 2, if six (6) or more members of the committee determine that a violation has been committed, the committee shall make a report of its findings and recommendations to the House of Representatives. Such report shall recommend appropriate disciplinary action against the representative committing the violation, if any. A decision of the committee finding that a violation has been committed shall be in writing and signed by six (6) or more members of the committee.

(3) At any time, if the committee deadlocks on both a motion to proceed on a complaint and a motion to dismiss a complaint, the chair shall recess the committee and at the next meeting of the committee if no motion is made on the complaint or if no motion prevails on the complaint or if no motion to continue the proceedings on the complaint to a fixed date prevails, the complaint shall be deemed dismissed and no further action on the complaint shall be considered except as provided in subdivision (4) of this section.

(4) Once acted upon, or dismissed pursuant to this section, no complaint alleging the same, or substantially the same, conduct by the same member during the same episode shall be received and considered by the committee unless initiated by the committee.

(5) At any time, if the committee finds that the circumstances warrant, the committee may disclose any documentation, evidence, or findings related to the matter to the Attorney General, the Tennessee Bureau of Investigation, any District Attorney General, or any other governmental agency or body or professional organization for possible action.

SECTION 4. No member of the committee shall participate in any matter in which such member is accused or in any matter in which such member is determined by seven (7) or more members of the committee to be so involved in the matter as to lack independent judgment. In either case, such member shall be recused as provided in this section. The Speaker shall appoint a representative to replace any member so recused until the proceedings involving the recused member have been concluded. The representative so appointed shall be from the same party as the member replaced. If the recused member is found not to have violated the House Ethics Code by the House Ethics Committee or the House of Representatives, such member shall return to serve on the committee for the remainder of such member's term and the representative appointed to replace the recused member shall cease to be a member of the committee.

SECTION 5.

(a) A member who accepts travel expenses from a sponsor to participate in an out-of-state trip related to the member's official duties must file a trip disclosure form with the House Ethics Committee within ten (10) business days of the member's return from the trip.

(b) For purposes of this section:

(1) "Sponsor" means an individual or entity that pays for, or reimburses a member for, all or part of the travel expenses for a trip. "Sponsor" does not include the state of Tennessee, a political subdivision of the state of Tennessee, another state or territory of the United States, the United States, or an established and recognized organization of

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elected or appointed state government officials, staff of state government officials or both officials and staff, or any other established and recognized organization that is an umbrella organization for such officials, staff, or both officials and staff. "Sponsor" does not include a member's spouse;

(2) "Travel expenses" means any cost in excess of one hundred dollars (\$100.00) associated with a trip, including, but not limited to, transportation, food, lodging, entertainment, recreational activities, or conference fees and materials. "Travel expenses" also includes the value of any cost in excess of one hundred dollars (\$100.00) associated with a trip that is provided as an award, discount, reimbursement, scholarship, or subsidy by a sponsor. "Travel expenses" does not include permissible items under Tennessee Code Annotated, Section 3-6-305; and

(3) "Trip related to the member's official duties" means travel associated with the official duties of a member of the House of Representatives, such as attending a meeting or conference, delivering a speech, or engaging in fact-finding. "Trip related to the member's official duties" also includes any travel extended to a member of the House of Representatives due to the member's status as a member.

(c) Trip disclosure forms will be posted semiannually on the House Ethics Committee page of the General Assembly's website.

COMMITTEE RULES

of the

HOUSE OF REPRESENTATIVES

83. UNIFORM RULES OF COMMITTEES.

(1) The Chair, after advising with the vice chair, shall set the calendars for hearings before the standing committee, taking into consideration the necessity and importance of the legislation before the committee. Those bills and resolutions requested by the sponsors to go on the calendars shall first be placed on the calendars, provided that the chair, after advising with the vice chair, shall set the calendar for hearings on a reasonable number of bills or resolutions at each committee meeting. The requests by sponsors for their bills to be heard in the standing committees shall be filed with the standing committee as soon as practicable, but not later than three-thirty p.m. (3:30 p.m.) central time on the Wednesday preceding the next regularly scheduled meeting of the standing committee. The chair, after advising with the vice chair, shall have the authority to set on the calendars additional bills or resolutions not requested by the sponsors if, in the opinion of such officers, a reasonable number of measures has not been set for hearing. The standing committee shall electronically transmit the committee calendar (bills to be heard) for its next regularly scheduled meeting as early as practicable but not later than seven o'clock p.m. (7:00 p.m.) central time on the same day. The Clerk's office shall publish these calendars as early as possible on the day following so that the sponsor of each bill or resolution scheduled for hearing shall be notified.

These notice provisions shall not apply to a bill or resolution transmitted by a standing committee to the Committee on Calendar and Rules for recommendation.

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(2) Prior to any scheduled standing committee meeting, the sponsor of any bill or resolution scheduled for hearing before said standing committee may request in writing that the chair of the standing committee set another hearing date, and the bill or resolution shall be rescheduled for hearing.

No resolution can be considered in a standing committee without a sponsor as reflected in the House Journal. No bill can be considered in a standing committee without a sponsor as reflected in the House Journal and a companion sponsor as reflected in the Senate Journal.

Should the sponsor of a bill or resolution fail to appear before the standing committee when the bill or resolution has been scheduled two (2) times for a hearing, then the bill or resolution shall be returned to the desk of the Clerk of the House. Any bill or resolution which has been calendared during two (2) meetings of a committee, except for time constraints, and which is not reported out of such committee, shall be returned to the desk of the Clerk of the House. After a bill or resolution has been sent back to the Clerk's desk, the sponsor of the legislation may appeal to the Speaker to re-refer the proposed legislation; and the Speaker shall have the discretion as to what action shall be taken.

(3) All bills or resolutions not considered controversial in nature may be placed on the committee consent calendar by the chair, after advising with the vice chair, provided the sponsor does not object. Any member of the standing committee may object to bill or resolution placed on the Committee Consent Calendar, and if objection is raised, the bill or resolution shall be removed from the Committee Consent Calendar and thereafter shall be acted upon by the standing committee.

The Committee Consent Calendar shall be printed and posted in regular places at least seventy-two (72) hours in advance of the time set for consideration of such calendar so that each member of the House may know the status of the legislation pending before the standing committee.

(4) Standing committees of the House shall meet at the times and places specified in the official committee schedule adopted pursuant to House Rule 65.

(5) A standing committee may hold a special committee meeting with approval of the Speaker at a time and place other than that specified in the official schedule of committee meetings. All special meetings, except meetings held when the House is in recess or adjourned, shall be announced in open session by the chair of the committee. Special meetings held on days when the House is in recess or adjourned shall be announced in advance in open session or by written notice furnished to each member of the House not less than seventy-two (72) hours prior to the meeting time.

(6) If a regular scheduled meeting of a standing committee is canceled, the chair shall announce such cancellation in open session of the House prior to the time fixed for the meeting if possible. If it is not possible for the chair to announce such cancellation in open session, all members of the House shall be given written notice or shall direct the committee staff to make every effort to notify each member of the committee and any other members of the House likely to have business before the committee of such cancellation.

(7) A quorum shall consist of a majority of the members of a given standing committee.

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(8) Every meeting of the House of Representatives, or any joint committee, standing committee, statutory committee, special committee, select committee, oversight committee, ad hoc committee, any other committee or any subcommittee shall be open to the public. Only when considering a matter involving the security of the state or nation or when investigating a proposed Article V impeachment of a public official other than a member of the general assembly, may a meeting be closed to the public, but only if there is an affirmative vote of at least three-fourths (3/4) of the members present of the respective committee or House. Adequate public notice of every meeting must be provided. The term "meeting" means at least a quorum of the members of a subcommittee, committee, or the House of Representatives, is present and public business within the jurisdiction of such body is being deliberated and decided.

(9) When a standing committee recommends a bill for passage only with the adoption of an amendment or amendments approved by a majority of those members of the committee present and voting thereon, the committee chair shall cause such committee amendment or amendments to be prepared in proper typewritten form and filed with the Chief Clerk of the House as soon as is practicable. The amendment or amendments should be properly designated as having been recommended in committee and should be signed by the committee chair or the chair's designee before being presented to the Chief Clerk who shall then observe the rules of the House in causing such amendment or amendments to be made available to all members of the House. No committee amendments shall be accepted by the Chief Clerk for filing unless said amendment is labeled with a system entry code assigned by the Office of Legal Services. The Calendar and Rules Committee shall not consider any bill recommended by a standing committee until any amendment or amendments adopted by the standing committee have been attached to the bill. Except as otherwise provided pursuant to Rule 71, the chair shall be responsible for having such amendments delivered within twenty-four (24) hours in typewritten form to the Chief Clerk, who shall attach such amendments to the bill.

(10) No bill or resolution shall be reported from a standing committee unless it shall have received a recommendation for passage as written or for passage with a recommended amendment by a majority of those members of the committee present and voting thereon, a quorum being present. All votes constituting final action on any bill or resolution shall be by roll call vote, and a roll call vote shall be taken at the request of the sponsor of the bill or resolution under consideration or at the request of any three (3) members of the committee. Every bill or resolution reported out of the committee shall contain on the cover a notation in ink, signed by the chair, or other presiding officer, recommending the measure for passage as written or recommending it for passage with an amendment or amendments recommended by the committee. If a motion to recommend a bill or resolution has been voted on by a committee two (2) times and has failed to pass, then the same shall not be considered by the committee again during that annual session.

(11) A written report of the action taken in reporting bills or resolutions out of committee shall be prepared under the direction of the committee chair and submitted promptly together with the bills and resolutions and committee amendments, if any, to the Chief Clerk of the House.

(12) The Chief Clerk shall be responsible for the safe delivery of bills to any meeting of the committee and for their return following the meeting but may delegate such responsibility to one of the Chief Clerk's Office staff.

(13) A standing committee chair may create such ad hoc subcommittees as the chair considers necessary and appropriate to deal with designated subjects within the scope of the subject jurisdiction of the committee. No ad hoc committee shall have the power to kill a bill. The

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committee chair shall appoint members to any ad hoc subcommittee so authorized and shall name the chair thereof, however no such subcommittee shall have fewer than five (5) members.

A subcommittee of a standing committee shall have authority to consider only such bills, resolutions, or subjects as may be assigned to it. Such a subcommittee shall report only to the standing committee chair unless directed otherwise by the House. No subcommittee may meet while the standing committee of which it is a part is in session without the consent of the standing committee.

When a bill or resolution is assigned to a subcommittee, the subcommittee chair, the sponsor, the chief clerk, and the director of legislative information services shall be notified electronically of the assignment, of said bill, the date of assignment, and the name of the subcommittee.

The request of the sponsor for a bill or resolution to be heard by a committee or subcommittee shall be filed with the standing committee. The chair of the standing committee shall electronically notify the chair of the subcommittee that the sponsor has requested the bill or resolution to be heard. The chair of said subcommittee shall set and publish the date and the calendar of bills to be heard and shall electronically and by printed calendar notify the sponsor of bills or resolutions to be heard, the chief clerk, and the director of the Office of Legislative Information Services.

The chair of the standing committee or the subcommittee shall provide copies of the calendar and electronic notice of bills to be heard to the chief clerk and the director of legislative information services.

An electronic report of the action taken by a subcommittee on each bill or resolution which it considers shall be prepared by the chair of said subcommittee and submitted to the chair of the standing committee, the chief clerk, and the director of the Office of Legislative Information Services.

When a bill or resolution is reported from a subcommittee, said bill or resolution shall be placed by the chair of the standing committee on the calendar of the next scheduled meeting of the standing committee unless the sponsor of said bill or resolution requests in writing that the chair of the standing committee set another hearing date.

At any time after a bill or resolution has been acted upon by a subcommittee any member of the standing committee may move to recall the bill or resolution from the subcommittee by presenting the motion in writing to the committee chair. The motion shall be scheduled to be heard at the beginning of the standing committee's next meeting, provided the notice is timely filed under Rule 83(1) so it can be printed on the committee calendar. If the motion carries by a majority of the members entitled to vote at a meeting of the committee then the bill or resolution shall be placed on calendar for the next meeting of the committee. No such motion shall be considered during the final meeting of a committee during a session.

(14) A motion to reconsider any committee action shall be determined by a majority of the committee members entitled to vote at a meeting of the committee. It shall be treated as a simple motion to reconsider, and its effect shall be the same.

(15) No proxy votes shall be permitted in a standing committee for any purpose.

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(16) If a member of a standing committee will be unable to attend said meeting, that member shall request an excused absence from the chair. If any appointed member of a standing committee is absent from two (2) regularly scheduled meetings of the committee without being excused by the chair, the chair shall report such absences to the Speaker of the House.

(17) In the absence of a quorum, the chair or other presiding officer shall have authority to direct the Sergeant-at-Arms to secure the presence of a sufficient number of members to constitute a quorum.

(18) In the absence of any express designation or appointment of any officers of a joint committee or joint subcommittee, the members thereof shall elect a chair and such other officers as are considered necessary by the committee.

(19) All committee minutes shall reflect attendance of members. Members shall be paid in accordance with the provisions of the law governing payment of per diem allowance to members of the General Assembly. The chair of each standing committee is charged with the duty and responsibility of providing and certifying to the Speaker the roll call vote of such committee and a listing of those sponsors appearing before the committee seeking action on their bills or resolutions.

(20) Except as stated in the foregoing rules, the Rules of Order of the House of Representatives shall apply. Other special rules shall not be adopted by committees.

84. CHIEF COUNSEL. There may be a Chief Counsel of the House Representatives who shall be appointed by the Speaker. The duties of the Chief Counsel may include providing legislative counsel to the Speaker of the House of Representatives. The Chief Counsel must be a graduate of an accredited law school, licensed to practice law in the state of Tennessee, and have 5 or more years of experience in the field of legislative law. The Chief Counsel must be appointed by the Speaker without reference to party affiliation but solely on the basis of fitness to perform the duties of the office. Tenn. Code Ann. § 3-12-106 shall apply to the Chief Counsel when serving as legislative counsel to the Speaker.

ADOPTION OF TEMPORARY RULES

Representative Marsh moved that the Report of the Ad Hoc Rules Committee be adopted, and that the foregoing be made the Temporary Rules of the House; the motion, seconded by Representative Lamberth, prevailed.

A motion to reconsider was tabled.

CHAIR TO JOHNSON

Mr. Speaker Sexton relinquished the Chair to Deputy Speaker Johnson.

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ELECTION OF SPEAKER

Deputy Speaker Johnson announced that nominations were in order for Speaker of the House of Representatives for the One Hundred Twelfth General Assembly.

Representative Lamberth nominated the Honorable Cameron Sexton of Cumberland County.

Representative Moody seconded the nomination.

There being no further nominations, Representative Gant moved that the nominations cease, and that the Clerk be directed to call the roll, which motion prevailed.

The roll was called with the following results:

For Mr. C. Sexton.....	95
Present and not voting.....	1

Representatives voting for Mr. Sexton were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell, Camper, Carr, Carringer, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Todd, Towns, Travis, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton -- 95

Representatives present and not voting were: Johnson G – 1

Deputy Speaker Johnson announced that Representative Cameron Sexton, having received a constitutional majority of the votes cast, was declared duly, legally and constitutionally elected Speaker of the House of Representatives of the 112th General Assembly.

Without objection, a motion to reconsider was tabled.

OATH OF OFFICE

The Oath of Office was administered to Speaker Sexton by the Honorable Holly Kirby, Justice of the Tennessee Supreme Court, as prescribed by the State Constitution and the Statutes of Tennessee.

Speaker Sexton expressed his appreciation and addressed the body with the following remarks:

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**ADDRESS TO THE HOUSE OF REPRESENTATIVES
HOUSE SPEAKER CAMERON SEXTON**

A year ago, we convened this General Assembly, and I talked about answering the call. As we gavel in today for the first day of the 112th General Assembly, we have seen dark clouds all across our country. Pandemics, tornadoes, violence and unrest, and especially a particularly tough Christmas Day right here in Nashville.

Tennessee must continue to be an example for the rest of the country on how to work together during these challenging times. Today, I ask each of you one simple question. What will you do with the time you have to serve? Each of us has a limited time to serve, and so I ask again what will you do with your time?

We face many great challenges, but we also have many great opportunities as we begin this new legislative session. I know this body is up to those challenges, and together, we will create new opportunities for all of our citizens.

Education is a priority for all of us. We must get our children back in the classroom to learn from their teachers as quickly as we can. A quality education is the key to family AND economic growth in Tennessee.

We should all recognize those on our frontlines - educators, health care providers, first responders, members of law enforcement, as well as all who have gone to work each and every day to make sure you and I are safe, secure, and healthy. Let's take a moment to thank and recognize our first responders all across the state and throughout our nation.

There is a reason Tennessee is the most fiscally stable state in our entire nation. Because we in this chamber have all been responsible stewards, Tennessee remains on strong financial footing, despite the remarkable economic challenges we have faced in the past year.

As leaders of our communities and as leaders of Tennessee, we must continue to rise above anger, frustration and division once again this year, and come together to put the immediate and emerging needs of all Tennesseans ahead of our individual goals and our personal aspirations. While we may not always agree on the solutions to every issue facing us, more times than not, we do agree.

Beginning today, we each have a new path of service we can choose. This year and throughout this General Assembly, let's choose the path forward that makes us more effective servants and better people for our families, for our constituents, and for this great state. Our time to serve is not infinite; It is a short period of time in our lives. I urge everyone to make the most of your time here.

I am excited to serve with Governor Lee, lieutenant Governor McNally and all of you. I hope we will all continue to answer the call to serve.

Thank you!

CHAIR TO SPEAKER

Deputy Speaker Johnson relinquished the Chair to Speaker Sexton.

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ELECTION OF SPEAKER PRO TEMPORE

Speaker Sexton announced the next order of business was the election of a Speaker Pro Tempore, and declared that nominations were in order.

Representative White nominated the Honorable Pat Marsh of Bedford County.

Representative Hazlewood seconded the nomination.

There being no further nominations, Representative Lamberth moved that the nominations cease, and that the Clerk be directed to call the roll, which motion prevailed.

The roll was called with the following results:

For Mr. Marsh	95
Present and not voting.....	1

Representatives voting for Mr. Marsh were: Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell, Camper, Carr, Carringer, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Todd, Towns, Travis, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton -- 95

Representatives present and not voting were: Johnson G – 1

Speaker Sexton announced that Representative Pat Marsh, having received a constitutional majority of the votes cast, was declared duly, legally and constitutionally elected Speaker Pro Tempore of the House of Representatives of the 112th General Assembly.

Without objection, a motion to reconsider was tabled.

OATH OF OFFICE

The Oath of Office was administered to Speaker Pro Tempore Marsh by the Honorable Holly Kirby, Justice of the Tennessee Supreme Court, as prescribed by the State Constitution and the Statutes of Tennessee.

Speaker Pro Tempore Marsh expressed his appreciation and addressed the body with the following remarks:

REMARKS OF HOUSE SPEAKER PRO TEMPORE PAT MARSH

Thank you all very much. Thank you Mr. Speaker and members. I'm deeply blessed, honored, and excited about my new role in the leadership, and to my role in helping Speaker Sexton become successful, and our whole membership become successful in this session of

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2021. I'm looking forward to working with our entire membership to make our state stronger and more successful. Congratulations to our ten new members. I'm looking forward to getting to know all of you better, and to working with you and helping you become successful in your new role. Let's all have a great 2021 session, and be successful for our state and our constituents. Thank you very much for your vote of confidence.

REPORT FROM THE SENATE

Senator Lundberg reported that the Senate had completed its organization and was ready for the transaction of business. The Speaker accepted the Senate report.

MESSAGE FROM THE SENATE January 12, 2021

MR. SPEAKER: I am directed by the Senate to notify the House the Senate has perfected its organization and is ready for the transaction of business. The Honorable Randy McNally of Anderson County was elected Speaker. The Speaker appointed Mr. Russell Humphrey, Chief Clerk; Mr. Alan Whittington, Deputy Chief Clerk; and Mr. Don Keaton, Chief Sergeant at Arms.

RUSSELL HUMPHREY, Chief Clerk

APPOINTMENT OF HOUSE OFFICERS

Speaker Sexton appointed the Honorable Tammy Letzler of Rutherford County as Chief Clerk.

Speaker Sexton appointed the Honorable Greg Glass of Williamson County as Chief Engrossing Clerk.

Speaker Sexton appointed the Honorable Kim Cox of Davidson County as Assistant Chief Clerk.

Speaker Sexton appointed the Honorable Daniel Hicks of Davidson County as Parliamentarian.

Speaker Sexton appointed the Honorable Bobby Trotter of Robertson County as Chief Sgt.-At-Arms.

OATH OF OFFICE

The Honorable Holly Kirby, Justice of the Tennessee Supreme Court, administered the Oath of Office to Ms. Letzler, Mr. Glass, Ms. Cox, Mr. Hicks and Mr. Trotter.

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APPOINTMENT OF SELECT COMMITTEE

On motion of Representative Lamberth, a committee was appointed by the Speaker to notify the Governor that the House of Representatives had perfected its organization and was ready for the transaction of business, which motion prevailed.

The Speaker appointed the following members to the committee: Representatives Alexander, Carringer, Darby, Gillespie, McKenzie and Hazlewood as Chair.

APPOINTMENT OF SELECT COMMITTEE

On motion of Representative Lamberth, a committee was appointed by the Speaker to notify the Senate that the House of Representatives had perfected its organization and was ready for the transaction of business, which motion prevailed.

The Speaker appointed the following members to the committee: Representatives Campbell, Harris, T. Hicks, Mannis, Warner and Terry as Chair.

RECESS MOTION

The House stood in a brief recess pending the return of the select committees.

MESSAGE FROM THE SENATE January 12, 2021

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 24; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 24** -- General Assembly, Joint Conventions - Calls joint convention on January 13, 2021, to elect Secretary of State, Comptroller of the Treasury, and State Treasurer. by *Johnson.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Sexton.

ROLL CALL DISPENSED

On motion of Rep. Lamberth the roll call was dispensed with.

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REPORTS FROM SELECT COMMITTEES

Representative Hazlewood reported to the House that the Governor had been notified that the House had perfected its organization and was ready for the transaction of business.

Representative Terry reported to the House that the Senate had been notified that the House had perfected its organization and was ready for the transaction of business.

APPOINTMENT OF SELECT COMMITTEE ON RULES

Representative Lamberth moved that the Speaker appoint a committee for the purpose of reviewing the Temporary Rules of the House and making any other suggestions concerning rule changes, following which the Select Committee on Rules shall report to the House their recommendations for Permanent Rules for the House of Representatives of the One Hundred Twelfth General Assembly.

Without objection, the motion prevailed.

Speaker Sexton appointed the following members to the committee: Representative Marsh as Chair; Representatives Camper, Crawford, Freeman, Hazlewood, G. Hicks, Hurt, C. Johnson, Lamberth, Moody and Windle

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 24 out of order, which motion prevailed.

***Senate Joint Resolution No. 24** -- General Assembly, Joint Conventions - Calls joint convention on January 13, 2021, to elect Secretary of State, Comptroller of the Treasury, and State Treasurer. by *Johnson.

On motion of Rep. Lamberth, the resolution was concurred in.

A motion to reconsider was tabled.

APPOINTMENT OF SELECT COMMITTEE

The Speaker announced that he had appointed the following committee to review the audits and operations of the Comptroller of the Treasury and the Department of the Treasury: Representatives G. Hicks, Freeman and C. Johnson as Chair.

ORDER OF THE DAY

Speaker Sexton requested that the Clerk proceed with the regular business of the day as follows:

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INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the following resolutions listed were introduced and were held on the Clerk's desk pending appointment of appropriate standing committees:

***House Joint Resolution No. 1** -- Memorials, Congress - Urges Congress to enact legislation to prohibit the desecration of the United States flag. by *Reedy.

Held On Desk

***House Joint Resolution No. 3** -- Constitutional Amendments - Proposes an amendment to Article XI, Section 5 of the Constitution of Tennessee, to allow for bingo games conducted by 501(c)(3) or 501(c)(19) organizations to meet a charitable, not for profit, or community service purpose. by *Griffey.

Held On Desk

***House Joint Resolution No. 4** -- General Assembly, Statement of Intent or Position - Recognizes doulas as vital birth and community health workers. by *Lamar.

Held On Desk

***House Joint Resolution No. 5** -- Constitutional Amendments - Proposes adding a provision establishing the right to work regardless of status of affiliation with any labor union or employee organization. by *Smith.

Held On Desk

***House Joint Resolution No. 8** -- Constitutional Conventions - Makes application to Congress for the purpose of calling an Article V convention to propose an amendment to the United States Constitution to set a limit on the number of terms to which a person may be elected as a member of the Congress of the United States. by *Todd.

Held On Desk

***House Joint Resolution No. 9** -- General Assembly, Statement of Intent or Position - Expresses the General Assembly's support for declaring April 17 as "Tennessee Flag Day.". by *Reedy.

Held On Desk

***House Joint Resolution No. 10** -- General Assembly, Statement of Intent or Position - Recognizes racism as a public health threat. by *Parkinson, *Chism.

Held On Desk

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for January 13, 2021:

House Resolution No. 1 -- Memorials, Retirement - Chris Bundgaard. by *Lamberth, *Sexton C, *Faison, *Gant, *Moody, *White, *Ragan, *Cepicky.

House Resolution No. 2 -- Memorials, Recognition - Kevin Acres, Bob Sheppard PA Announcer of the Year Award. by *Keisling.

***House Joint Resolution No. 2** -- Memorials, Recognition - Gail Gilliam. by *Cepicky.

***House Joint Resolution No. 6** -- Memorials, Personal Achievement - Levi Cole Griffith, Eagle Scout. by *Thompson.

***House Joint Resolution No. 7** -- Memorials, Personal Occasion - Dale and Lisa Davis, 40th wedding anniversary. by *Keisling.

***House Joint Resolution No. 11** -- Memorials, Heroism - Metropolitan Nashville Police Officers. by *Freeman.

***House Joint Resolution No. 12** -- Memorials, Death - Ottis Lenville Powell. by *Moon.

***House Joint Resolution No. 13** -- Memorials, Heroism - Metropolitan Nashville Police Officers. by *Faison, *Lamberth.

***House Joint Resolution No. 14** -- Memorials, Death - Jimmy Lee Smith. by *Carringer.

***House Joint Resolution No. 15** -- Memorials, Sports - Oakland High School football team, 2020 TSSAA Division I Class 6A State Champions. by *Terry.

***House Joint Resolution No. 16** -- Memorials, Death - Jerry L. Frazier. by *Howell.

***House Joint Resolution No. 17** -- Memorials, Death - Mayor Jerry T. Stephens. by *Howell.

***House Joint Resolution No. 19** -- Memorials, Death - Phyllis Stewart Williams. by *Jernigan.

***House Joint Resolution No. 20** -- Memorials, Retirement - Cheryl Huntsman. by *Keisling.

***House Joint Resolution No. 21** -- Memorials, Retirement - Dean Ellis. by *Keisling.

***House Joint Resolution No. 22** -- Memorials, Death - Cathy Lane White. by *Keisling.

***House Joint Resolution No. 23** -- Memorials, Death - Joe Neil Eads. by *Keisling.

***House Joint Resolution No. 24** -- Memorials, Death - Larry James Holland. by *Keisling.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 1** -- Capital Punishment - As introduced, allows a defendant who has been sentenced to the death penalty and whose conviction is final to petition the trial court for a determination of whether the defendant is ineligible for the death penalty due to intellectual disability. - Amends TCA Title 39 and Title 40. by *Hardaway.

House Bill No. 2 -- Health Care - As introduced, establishes independent dispute resolution procedures for emergency services and balance bills. - Amends TCA Title 33; Title 56; Title 63 and Title 68. by *Smith.

***House Bill No. 3** -- Local Education Agencies - As introduced, requires that a student's gender for purposes of participation in a public middle school or high school interscholastic athletic activity or event be determined by the student's sex at the time of the student's birth, as indicated on the student's original birth certificate. - Amends TCA Title 49. by *Cepicky.

***House Bill No. 4** -- Local Education Agencies - As introduced, requires each LEA to develop and implement instructional programs aligned with state academic standards that incorporate science and social studies concepts into the English language arts instruction for students in kindergarten through grade two. - Amends TCA Title 49, Chapter 1. by *Cepicky.

***House Bill No. 5** -- Education - As introduced, requires that the instruction provided to a student who is identified for intervention through the response to instruction and intervention (RTI²) framework be determined by the student's local education agency based on the individual student's needs. - Amends TCA Title 49. by *Cepicky, *Griffey.

***House Bill No. 6** -- Tennessee Higher Education Commission - As introduced, requires the commission to establish a four-year pilot program to award completion grants to Tennessee Promise scholarship students who have an immediate financial need or who are experiencing a financial hardship that may prevent the student from completing a postsecondary degree or credential. - Amends TCA Title 49. by *Cepicky.

***House Bill No. 7** -- Public Health - As introduced, specifies that the county mayor has the authority to establish and implement health policies that affect the entire county during a county-wide health emergency; directs the county health director, health officer, and board of health to provide advice to the mayor to develop the policies; applies only in Shelby, Davidson, Knox, Hamilton, Sullivan, and Madison counties. - Amends TCA Title 5 and Title 68, Chapter 2, Part 6. by *Zachary, *Moon.

***House Bill No. 8** -- Education, Higher - As introduced, reduces, from 30 to 25, the years of full-time creditable service that a teacher must have served in Tennessee public schools before retiring for the retired teacher's child to receive a 25 percent discount on tuition to any state institution of higher education. - Amends TCA Title 8 and Title 49. by *Zachary.

***House Bill No. 9** -- Professions and Occupations - As introduced, repeals the Locksmith Licensing Act of 2006. - Amends TCA Title 62, Chapter 11; Title 62, Chapter 35 and Title 62, Chapter 76. by *Reedy.

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***House Bill No. 10** -- Public Health - As introduced, removes provisions in current law that override the ability of various persons to object to vaccinations, immunizations, or other medical procedures on the basis of religious tenets and practices. - Amends TCA Title 4; Title 7; Title 33; Title 37; Title 49; Title 50; Title 62; Title 63; Title 68 and Title 71. by *Reedy, *Ogles, *Hall.

***House Bill No. 11** -- Criminal Offenses - As introduced, justifies the use of deadly force against another to protect real or tangible, movable property under certain circumstances. - Amends TCA Title 39, Chapter 11, Part 6. by *Reedy.

***House Bill No. 12** -- Criminal Offenses - As introduced, enacts "April's Law" to clarify that a person who engages in sexual contact with a corpse commits the offense of abuse of a corpse, a Class E felony; requires law enforcement officers to ask victims of stalking, domestic abuse, or sexual assault whether the victim requests the defendant be required to wear GPS-tracker if released on bond. - Amends TCA Title 39, Chapter 17, Part 3; Title 40, Chapter 11 and Title 40, Chapter 39, Part 2. by *Hardaway.

***House Bill No. 13** -- Public Health - As introduced, prohibits state and local authorities from forcing, requiring, or coercing a person to receive an immunization or vaccination for COVID-19 against the person's will. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 49; Title 50 and Title 68. by *Hulsey, *Griffey, *Cepicky.

***House Bill No. 14** -- Basic Education Program (BEP) - As introduced, enacts the "School Stabilization Act"; requires, for the 2021-2022 school year, the BEP of each LEA to be calculated based on the LEA's 2019-2020 average daily membership (ADM), rather than the LEA's 2020-2021 ADM, unless the LEA's 2020-2021 ADM exceeds the LEA's 2019-2020 ADM. - Amends TCA Title 49. by *Cepicky, *Griffey.

***House Bill No. 15** -- Local Education Agencies - As introduced, requires, beginning with the 2020-2021 school year, a student in any grade kindergarten through five (K-5) who is identified as in need of Tier II or Tier III interventions according to the department of education's RTI² framework to participate in an LEA-approved research-based intervention before the beginning of the next school year to be eligible for promotion to the next grade level. - Amends TCA Title 49, Chapter 6. by *Cepicky.

***House Bill No. 16** -- Teachers, Principals and School Personnel - As introduced, enacts the "Teacher's Discipline Act"; establishes a process for a teacher to request the removal of a student from the teacher's classroom if the student's behavior violates the LEA's or school's student discipline policy or code of conduct and repeatedly or substantially disrupts the class. - Amends TCA Title 49. by *Cepicky, *Griffey.

***House Bill No. 17** -- Criminal Offenses - As introduced, declares, for purposes of determining if a person has a duty to retreat before threatening or using force in self-defense, that a person is not considered to be engaged in unlawful activity or where the person does not have a right to be if the person is engaged in the activity or in a place due to the person's status as a victim of human trafficking. - Amends TCA Title 39, Chapter 11, Part 6. by *Lamar.

***House Bill No. 18** -- Firearms and Ammunition - As introduced, creates exceptions to the offense of open or concealed carrying of a firearm with the intent to go armed for any person legally in possession and not prohibited from possessing a firearm; converts existing defenses to be exceptions. - Amends TCA Title 10; Title 33; Title 38; Title 39; Title 40; Title 50 and Title 70. by *Griffey, *Doggett.

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***House Bill No. 19** -- Banks and Financial Institutions - As introduced, classifies a money transmission originating in this state to a location outside of the United States or its territories as a service transaction subject to the sales and use tax. - Amends TCA Title 38; Title 45, Chapter 7; Title 49 and Title 67, Chapter 6. by *Griffey.

***House Bill No. 20** -- Taxes, Exemption and Credits - As introduced, lowers, from \$500,000 to \$250,000, the amount of the required capital investment to be made by a business engaged in an enterprise located in a tier 3 or tier 4 enhancement county with a population less than 50,000, to qualify for a job tax credit; increases, from \$4,500 to \$9,000, the amount of the job tax credit provided to the business; authorizes an additional job tax credit if the business involves a higher level of investment and job creation. - Amends TCA Title 67, Chapter 4. by *Griffey.

***House Bill No. 21** -- Immigration - As introduced, requires this state to refuse to consent to receive any refugees for purposes of resettlement; requires each local government within this state to refuse to consent to receive any refugees for purposes of resettlement unless resettlement within its jurisdiction is approved by a certain process. - Amends TCA Title 4; Title 5; Title 6 and Title 7. by *Griffey.

House Bill No. 22 -- Criminal Offenses - As introduced, increases the penalty for drag racing from a Class B misdemeanor to a Class A misdemeanor. - Amends TCA Title 39 and Title 55. by *Gillespie.

***House Bill No. 23** -- Education, Dept. of - As introduced, requires the department to survey all LEAs, public charter schools, and state special schools to determine whether there is a sufficient number of licensed speech-language pathologists in the public schools of this state to meet student needs and report the results of the survey to the education committees of the senate and house of representatives by January 15, 2022. - Amends TCA Title 49; Title 56 and Title 63. by *Cepicky.

***House Bill No. 24** -- Utilities, Utility Districts - As introduced, requires public utilities and railroads to adhere to certain compensation, notification, and other requirements concerning public utility facilities located within, or to be located within, a railroad right-of-way. - Amends TCA Title 4; Title 7; Title 29; Title 65 and Title 66. by *Warner.

***House Bill No. 25** -- Civil Procedure - As introduced, provides that a person who uses justifiable force against another may request a stay of proceedings in any civil action based on the use of force until the criminal investigation has concluded; allows for an immunity hearing at which the court may dismiss an action that is barred by immunity. - Amends TCA Title 39. by *Todd.

***House Bill No. 26** -- Criminal Offenses - As introduced, provides that a person's use of force in self-defense is not justified if the person was engaged in conduct that would constitute a felony or Class A misdemeanor, rather than unlawful activity, at the time of the use of force. - Amends TCA Section 39-11-611. by *Todd.

***House Bill No. 27** -- Agriculture - As introduced, increases from five to seven years the minimum period that a person is ineligible for reissuance of a hemp producer license following revocation of the person's license for a violation of the hemp laws. - Amends TCA Title 39; Title 43 and Title 67. by *Todd.

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***House Bill No. 28** -- Telecommunications - As introduced, authorizes municipal electric plants, electric cooperatives, and telephone cooperatives to provide broadband internet service on their own or by joint venture in geographical areas outside their service areas if the areas are located in a distressed county; requires broadband internet service be provided in state parks located in distressed counties. - Amends TCA Title 4; Title 6; Title 7; Title 10; Title 11; Title 65; Title 67 and Title 68. by *Cooper.

***House Bill No. 29** -- Jails, Local Lock-ups - As introduced, requires the Tennessee corrections institute to provide members of the general assembly the results of inspections of local jails, lock-ups, workhouses, and detention facilities within five days of the completion of inspection results. - Amends TCA Title 41. by *Cooper.

***House Bill No. 30** -- Jails, Local Lock-ups - As introduced, requires the acquisition or construction of a new correctional facility in Shelby County; requires the appointment of a committee to submit plans for such acquisition or construction to the board of control of the Tennessee corrections institute. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 9; Title 40 and Title 41. by *Cooper.

***House Bill No. 31** -- State Inmates - As introduced, requires a physician to examine an inmate in solitary confinement for signs of a serious mental illness at least once every 15 days. - Amends TCA Title 41. by *Cooper.

***House Bill No. 32** -- Probation and Parole - As introduced, makes eligible for parole an inmate who is 65 years of age or older or is terminally ill. - Amends TCA Title 40, Chapter 28 and Title 40, Chapter 35. by *Cooper.

***House Bill No. 33** -- Naming and Designating - As introduced, redesignates the Legislative Plaza as the Ida B. Wells-Barnett Plaza. - Amends TCA Section 3-1-111 and Section 4-3-2006. by *Cooper.

***House Bill No. 34** -- Tennessee Housing Development Agency - As introduced, authorizes the THDA to provide eligible displaced tenants who have been denied requests for housing or housing repairs by local governmental entities with affordable housing and services. - Amends TCA Title 4, Chapter 21; Title 5; Title 6; Title 7; Title 13, Chapter 23 and Title 66, Chapter 7. by *Cooper.

***House Bill No. 35** -- Local Government, General - As introduced, prohibits governmental entities and officials from mandating or limiting the number of persons who may congregate in a residence, or in a church if the number of congregants complies with occupancy limits applicable to the church. - Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 49; Title 58 and Title 68. by *Ogles.

***House Bill No. 36** -- Taxes, Litigation - As introduced, expands authorization for \$25.00 litigation tax on criminal cases in Fentress County to support physically and sexually abused children to authorization of a litigation tax of up to \$25.00 in any county in the state on civil and criminal cases to support child advocacy centers and child protective teams serving the county. - Amends TCA Section 67-4-601. by *Carringer.

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***House Bill No. 37** -- Employees, Employers - As introduced, prohibits a state or local governmental entity, the governor, or the executive head of a local government from classifying a category of workers as essential or nonessential. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 50, Chapter 1, Part 2; Title 58 and Title 68. by *Ogles.

***House Bill No. 38** -- Revenue, Dept. of - As introduced, establishes taxpayer protections for taxpayers relying on guidance issued by the department. - Amends TCA Title 67, Chapter 1. by *Todd.

***House Bill No. 39** -- Tennessee Bureau of Investigation - As introduced, enacts the "Jim Coley Rape Survivors Protection Act." - Amends TCA Title 4; Section 10-7-504; Title 29; Title 38; Title 39; Title 40 and Title 63. by *Freeman, *Ogles, *Jernigan.

***House Bill No. 40** -- Motor Vehicles, Titling and Registration - As introduced, enacts the 2021 Precious Cargo Act; authorizes commissioner of revenue to adopt policies and procedures to update the Tennessee vehicle title and registration system database to account for persons who need assistance with expressive language or communicating needs to a first responder or law enforcement officer. - Amends TCA Title 55, Chapter 21 and Title 55, Chapter 4. by *Ogles.

***House Bill No. 41** -- Basic Education Program (BEP) - As introduced, requires, beginning with the 2021-2022 school year, that the BEP fund one full-time public school nurse position for each school in an LEA. - Amends TCA Title 49 and Title 68. by *Whitson.

***House Bill No. 42** -- Barbers and/or Cosmetologists - As introduced, requires applicants for a technician certificate of registration, master barber certificate of registration, barber instructor certificate of registration, cosmetologist license, manicuring license, cosmetology instructor license, aesthetician license, or natural hair styling license to obtain up to one hour of online or in-person training by a nonprofit on domestic violence. - Amends TCA Title 62, Chapter 3 and Title 62, Chapter 4. by *Whitson.

***House Bill No. 43** -- Law Enforcement - As introduced, prohibits law enforcement from entering private property for the purpose of engaging in surveillance or setting up surveillance equipment to search for and collect evidence or obtain information or other data unless the officer has obtained a search warrant or a judicially recognized exception to the warrant requirement exists. by *Faison.

***House Bill No. 44** -- Basic Education Program (BEP) - As introduced, funds social worker positions through the BEP at a ratio of one per 1,500 or fewer students. - Amends TCA Title 49, Chapter 3. by *Sparks.

***House Bill No. 45** -- Taxes, Exemption and Credits - As introduced, creates a rural relocation tax credit for certain out-of-state businesses that relocate to tier 3 and tier 4 enhancement counties with a population less than 50,000 that can be applied against the business's franchise and excise tax liability. - Amends TCA Title 67, Chapter 4. by *Griffey.

***House Bill No. 46** -- Education, Dept. of - Requires the department, instead of local boards of education, to develop a water testing program to reduce potential lead contamination in drinking water in public schools; requires child care programs to implement the water testing program required for public schools; changes, from 20 to 15 parts per billion, the lead level at which a school or child care program is required to take certain protective and remedial steps under the program. - Amends TCA Title 49, Chapter 1 and Title 49, Chapter 2. by *Lamar.

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***House Bill No. 47** -- Sentencing - As introduced, enacts the "Good Samaritan Sentencing Enhancement Act," which provides that a defendant convicted of first degree murder is eligible for the death penalty if the victim was rendering assistance to a person in need at the time of their death. - Amends TCA Title 39. by *Ogles.

***House Bill No. 48** -- Lottery, Corporation - As introduced, redirects the 80 percent portion of the tax revenue from the privilege tax on sports gaming from the lottery for education account to an account created for distribution to public school systems for the construction and maintenance of school buildings. - Amends TCA Title 4, Chapter 51, Part 3. by *Hawk.

***House Bill No. 49** -- Evidence - As introduced, requires a local law enforcement agency to submit a sexual assault evidence collection kit to the state crime lab or other similar qualified laboratory for testing within 30 days of a victim filing a police report, rather than within 60 days. - Amends TCA Title 38, Chapter 6 and Title 39, Chapter 13, Part 5. by *Ogles.

***House Bill No. 50** -- Criminal Offenses - As introduced, enacts the "2021 Defense Doctrine," which adds imminent danger of grave sexual abuse as a justification for the use of deadly force in self-defense and to defenses of duress and use of deadly force by law enforcement officer; defines grave sexual abuse as rape, aggravated rape, rape of a child, or aggravated rape of a child. - Amends TCA Title 39 and Title 40. by *Ogles.

***House Bill No. 51** -- Taxes, Real Property - As introduced, directs TACIR to conduct a study regarding the use of a voter referendum to approve significant tax increases on real property. - Amends TCA Title 2; Title 4, Chapter 10; Title 5; Title 6; Title 7; Title 9, Chapter 21 and Title 67, Chapter 5. by *Ogles.

***House Bill No. 52** -- Gambling - As introduced, authorizes the ownership, possession, purchase, and sale of antique gambling machines. - Amends TCA Title 39, Chapter 11 and Title 39, Chapter 17. by *Marsh.

House Bill No. 53 -- Taxes, Excise - As introduced, extends for an additional six years to June 30, 2028, the temporary tax on bottles of soft drinks and barrels of beer to fund programs for the prevention and collection of litter; makes other related revisions. - Amends TCA Section 57-5-201 and Section 67-4-402. by *Marsh.

***House Bill No. 54** -- Utilities, Utility Districts - As introduced, makes various changes concerning safety enforcement of underground utilities, including increasing the penalties that may be assessed for violations. - Amends TCA Title 65, Chapter 28 and Title 65, Chapter 31. by *Marsh.

***House Bill No. 55** -- Criminal Offenses - As introduced, enacts the "Spencer Bristol Act," which increases the penalty for evading arrest that results in the serious bodily injury of a law enforcement officer to a Class C felony and evading arrest that results in the death of a law enforcement officer to a Class A felony. - Amends TCA Title 39, Chapter 16, Part 6. by *Lamberth, *Garrett.

***House Bill No. 56** -- Education - As introduced, revises the date by which a student must have attained the age of five for purposes of enrolling in kindergarten. - Amends TCA Title 49, Chapter 6. by *Cepicky.

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***House Bill No. 57** -- Highway Signs - As introduced, authorizes the department of transportation to install appropriate signs along a state highway for the Doe Mountain recreational area. - Amends TCA Title 11; Title 54 and Title 55. by *Campbell.

***House Bill No. 58** -- Banks and Financial Institutions - As introduced, changes, from six months to 12 months, the permitted holding period by a bank for non-real-property acquired in satisfaction of a loan. - Amends TCA Title 45. by *Haston.

***House Bill No. 59** -- Forfeiture of Assets - As introduced, removes the requirement for a person to post a bond when filing a claim to seized property. - Amends TCA Title 40, Chapter 33. by *Grills, *Todd.

***House Bill No. 60** -- Conservation - As introduced, rewrites the Soil Conservation Districts Law to be the Soil and Water Conservation Districts Law; makes corresponding changes. - Amends TCA Title 4, Chapter 29; Section 5-9-106; Section 6-58-104; Title 43, Chapter 14; Title 43, Chapter 34; Title 64 and Title 69, Chapter 6. by *Lamberth, *Gant.

***House Bill No. 61** -- Agriculture, Dept. of - As introduced, revises certain enforcement provisions of the Tennessee Food, Drug and Cosmetic Act. - Amends TCA Title 53, Chapter 1; Section 53-7-202 and Section 53-7-220. by *Lamberth, *Gant.

***House Bill No. 62** -- Adoption - As introduced, removes the adoption contact veto registry and revises other provisions governing adoption. - Amends TCA Title 36, Chapter 1 and Section 68-3-313. by *Lamberth, *Gant.

***House Bill No. 63** -- Children's Services, Dept. of - As introduced, requires the department to submit a report to the judiciary committees of the senate and house of representatives on or before December 31, 2022, regarding the implementation of the Family First Prevention Services Act. - Amends TCA Title 37. by *Lamberth, *Gant.

***House Bill No. 64** -- Motor Vehicles - As introduced, changes the annual application for a certificate of authority by an automobile club or association to a one-time application prior to commencement of operations; provides licenses issued must be renewed annually and include updated documents and information. - Amends TCA Title 55, Chapter 18. by *Lamberth, *Gant.

***House Bill No. 65** -- Criminal Procedure - As introduced, requires the administrative office of the courts to develop and implement a statewide electronic transmission system for judgment orders in criminal cases; requires trial judges to employ the electronic transmission system in each criminal case resulting in a conviction. - Amends TCA Title 16, Chapter 3, Part 8; Title 18, Chapter 4, Part 1 and Title 40, Chapter 35. by *Lamberth, *Gant.

***House Bill No. 66** -- Sexual Offenders - As introduced, requires the sex offender treatment board to compile a list of approved sex offender evaluation providers and sex offender treatment providers who are authorized to provide required sex offender evaluations and treatment. - Amends TCA Title 39, Chapter 13, Part 7. by *Lamberth, *Gant.

***House Bill No. 67** -- Correctional Programs - As introduced, broadens the use of community corrections funds for individualized services from "GED" to "high school equivalency programming." - Amends TCA Title 39; Title 40 and Title 41. by *Lamberth, *Gant.

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***House Bill No. 68** -- Correction, Dept. of - As introduced, authorizes the commissioner to designate an additional designee to keep a record of the department's transactions. - Amends TCA Title 4, Chapter 3, Part 6 and Title 4, Chapter 6. by *Lamberth, *Gant.

***House Bill No. 69** -- Criminal Offenses - As introduced, creates a Class D felony for a person to knowingly and with unlawful intent possess a telecommunication device while present in any penal institution without the express written consent of the chief administrator of the institution. - Amends TCA Title 39. by *Lamberth, *Gant.

***House Bill No. 70** -- Correction, Dept. of - As introduced, increases the time the department shall have to notify the victim witness coordinator of the county of conviction of a scheduled parole hearing date when the inmate will be eligible for parole consideration from within 90 days of receipt of a judgment of conviction to within 120 days of such receipt. - Amends TCA Title 40. by *Lamberth, *Gant.

***House Bill No. 71** -- Correction, Dept. of - As introduced, increases from 10 days to 10 business days the time within which a warden shall report a sudden death or physical injury by means of violence or accident to the commissioner. - Amends TCA Title 41. by *Lamberth, *Gant.

***House Bill No. 72** -- State Inmates - As introduced, creates process by which the commissioner of correction may certify as eligible for parole certain chronically debilitated or incapacitated inmates; clarifies that medical conditions for which an inmate may be granted a furlough by the commissioner of correction must be chronically debilitating or incapacitating. - Amends TCA Title 40, Chapter 28, Part 1; Title 40, Chapter 35, Part 5 and Section 41-21-227(i). by *Lamberth, *Gant.

***House Bill No. 73** -- Education, State Board of - As introduced, removes antiquated language regarding the teacher evaluation advisory committee, which ceased to exist on July 1, 2011. - Amends TCA Title 49. by *Lamberth, *Gant.

***House Bill No. 74** -- Education, Dept. of - As introduced, deletes the requirement that the achievement school district adopt an appropriate dress code for its professional employees. - Amends TCA Section 49-1-614. by *Lamberth, *Gant.

***House Bill No. 75** -- Public Property - As introduced, authorizes the use of interest and principal deposited into certain special trust funds, which hold proceeds from the sale of certain public property, for capital maintenance of property controlled by the department of intellectual and developmental disabilities and other related purposes. - Amends TCA Section 12-2-117. by *Lamberth, *Gant.

***House Bill No. 76** -- Public Funds and Financing - As introduced, authorizes a department, institution, office, or agency of the state to enter into an agreement with a third party to collect state funds on its behalf under which the third party is permitted to deduct its service fee from the funds collected prior to deposit. - Amends TCA Section 9-4-301. by *Lamberth, *Gant.

***House Bill No. 77** -- Banks and Financial Institutions - As introduced, authorizes a state bank to request from the commissioner a waiver or modification of certain terms and conditions applicable to a national bank; authorizes a state bank to request from the commissioner authority to exercise certain incidental powers or engage in certain incidental activities; requires commissioner to publish a summary of applications made for waiver, modification, or authorization. - Amends TCA Section 45-2-601. by *Lamberth, *Gant.

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***House Bill No. 78** -- General Services, Dept. of - As introduced, deletes the Paperwork Reduction and Simplification Act of 1976; redistributes the recordkeeping responsibilities for the State Protest Committee; removes deadline for addenda and questions concerning bid documents for state agencies and the central procurement office; converts energy performance or guaranteed savings contract pilot projects into a permanent program. - Amends TCA Title 4, Chapter 25; Title 4, Chapter 56, Part 1; Title 12, Chapter 3, Part 3 and Title 12, Chapter 4, Part 1. by *Lamberth, *Gant.

***House Bill No. 79** -- Administrative Procedure (UAPA) - As introduced, requires a party issued a notice of violation by an agency to prevail on the merits of all allegations in the notice at the contested case hearing in order to recover reasonable costs from the agency; requires a hearing officer or administrative law judge to set forth in writing facts upon which certain determinations are based; requires parties seeking judicial review of certain agency decisions to cover reasonable costs of the review. - Amends TCA Section 4-5-325 and Section 63-1-144. by *Lamberth, *Gant.

***House Bill No. 80** -- Controlled Substances - As introduced, makes various changes to the controlled substance monitoring database. - Amends TCA Title 53, Chapter 10, Part 3. by *Lamberth, *Gant.

***House Bill No. 81** -- Mental Health & Substance Abuse Services, Dept. of - As introduced, requires the chief officer of a facility to notify certain persons within a certain time after the death of a person admitted to the facility; requires the department to strive to ensure at least a majority of the members of each regional citizen-based planning and policy council are former service recipients or family members of service recipients; makes other changes relative to mental health and substance abuse services. - Amends TCA Section 33-2-203; Section 33-2-901; Section 33-4-109 and Section 63-1-155. by *Lamberth, *Gant.

***House Bill No. 82** -- Military - As introduced, establishes state employment protections for members of the national guard, state guard, and civil air patrol called to active state duty equivalent to the federal Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) for members of the national guard called to federal active service. - Amends TCA Title 8, Chapter 33. by *Lamberth, *Gant.

***House Bill No. 83** -- Education, Higher - As introduced, extends eligibility for tuition reimbursement provided to members of the Tennessee national guard under the STRONG Act of 2017 to include technical certificates and diplomas and certain graduate programs; extends, from June 30, 2021, to June 30, 2025, the date on which the act will be repealed. - Amends TCA Title 49, Chapter 4, Part 10. by *Lamberth, *Gant.

***House Bill No. 84** -- Taxes - As introduced, tolls the statute of limitations for collection of taxes upon the imposition of a bankruptcy stay or upon the filing of a probate, receivership, or assignment for benefit of creditors proceeding; permits statute of limitations to begin running 30 days after the stay is lifted or the proceeding prohibiting collection ends. - Amends TCA Section 67-1-1429. by *Lamberth, *Gant.

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***House Bill No. 85** -- Taxes, Sales - As introduced, deletes streamlined sales tax provisions first enacted by Chapter 602 of the Public Acts of 2007 and the implementation of which have been delayed with subsequent legislation; adds definition of "bundled transaction" for purposes of sales and use tax; makes other revisions regarding the sales and use tax. - Amends TCA Title 67; Chapter 72 of the Public Acts of 2011; Chapter 157 of the Public Acts of 2019; Chapter 193 of the Public Acts of 2017; Chapter 273 of the Public Acts of 2015; Chapter 480 of the Public Acts of 2013; Chapter 530 of the Public Acts of 2009 and Chapter 602 of the Public Acts of 2007. by *Lamberth, *Gant.

***House Bill No. 86** -- Motor Vehicles, Titling and Registration - As introduced, reduces the lower gross weight threshold for freight vehicles that are required to pay the registration tax of \$1,019 from 56,000 pounds to 55,000 pounds; removes authority for nonresidents to apply directly to department of revenue for off-highway vehicle permits; authorizes issuance of decals instead of new plates upon expiration of special purpose plates for manufacturers, dealers, transporters, and nonprofit organizations. - Amends TCA Title 55, Chapter 4. by *Lamberth, *Gant.

***House Bill No. 87** -- Safety, Dept. of - As introduced, changes the formatting requirements for credentials issued by the department. - Amends TCA Title 39, Chapter 17, Part 13; Title 55, Chapter 50, Part 3 and Title 55, Chapter 50, Part 4. by *Lamberth, *Gant.

***House Bill No. 88** -- Motor Vehicles - As introduced, changes the criteria that a private entity must meet to conduct driver education courses and community education courses. - Amends TCA Title 55, Chapter 10. by *Lamberth, *Gant.

***House Bill No. 89** -- Environment and Conservation, Department of - As introduced, authorizes the commissioner to commission environmental investigative enforcement officers; authorizes park rangers and other law enforcement officers within the department to operate outside parks and other specific areas to render aid upon request and subject to the commissioner's approval. - Amends TCA Section 11-1-101; Section 11-3-107; Section 59-8-404 and Section 59-8-308. by *Lamberth, *Gant.

***House Bill No. 90** -- Mining and Quarrying - As introduced, clarifies that 60-day time limit for notifying applicants under the Primacy and Reclamation Act of Tennessee whether an application has been approved or disapproved applies to new applications rather than new amendments to existing applications. - Amends TCA Title 4; Title 10; Title 50; Title 59; Title 60; Title 67; Title 68; Title 69 and Chapter 839 of the Public Acts of 2018. by *Lamberth, *Gant.

***House Bill No. 91** -- Public Funds and Financing - As introduced, increases from 20 to 30 years the amount of time within which loans from the drinking water revolving loan fund must be amortized; increases from 30 to 40 years the time within which such loans must be amortized when made to disadvantaged communities. - Amends TCA Title 68, Chapter 221, Part 12. by *Lamberth, *Gant.

***House Bill No. 92** -- Utilities, Utility Districts - As introduced, authorizes the department of transportation to notify by electronic transmission, owners of utility facilities that occupy rights-of-way of any highway on which construction related to the relocation of a utility facility is proposed. - Amends TCA Section 54-5-853. by *Lamberth, *Gant.

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***House Bill No. 93** -- Estates - As introduced, sets time limits on the filing of claims by the bureau of TennCare against TennCare recipients' estates. - Amends TCA Section 30-2-310. by *Lamberth, *Gant.

***House Bill No. 94** -- Workers Compensation - As introduced, requires disputes concerning an employer's failure to provide medical care and treatment, medical services or medical benefits, or both, to meet certain requirements; removes requirement that all compensation be paid prior to an employee qualifying for vocational recovery assistance; extends current provisions, as amended, for four years; authorizes workers' compensation judges to conduct judicial settlement conferences. - Amends TCA Title 50, Chapter 6, Part 2. by *Lamberth, *Gant.

***House Bill No. 95** -- Election Laws - As introduced, requires each county to use precinct-based optical scanners for elections beginning no later than January 1, 2022. - Amends TCA Title 2, Chapter 20, Part 1. by *Reedy.

***House Bill No. 96** -- Local Education Agencies - As introduced, prohibits an LEA from employing a person who is a relative of the LEA's director of schools or a relative of a member of the LEA's local board of education unless the commissioner of education approves the relative's employment in writing. - Amends TCA Title 49, Chapter 2, Part 2. by *Reedy.

***House Bill No. 97** -- Criminal Offenses - As introduced, justifies, under certain circumstances, the use of deadly force against another to prevent or terminate the other from committing or attempting to commit certain property offenses; clarifies that the display or brandishing of a weapon does not constitute deadly force. - Amends TCA Title 39, Chapter 11, Part 6. by *Reedy.

***House Bill No. 98** -- Local Education Agencies - As introduced, establishes term limits for board members; disqualifies a person from serving as a member of an LEA's local board of education if that person is a relative of a member who is currently serving a term of office on the local board of education. - Amends TCA Title 49, Chapter 2 and Title 49, Chapter 6. by *Reedy.

***House Bill No. 99** -- State Government - As introduced, authorizes a state department or agency to update signage on state property indicating accessibility for persons with disabilities within existing resources. - Amends TCA Title 12, Chapter 2, Part 1. by *Jernigan.

***House Bill No. 100** -- Guardians and Conservators - As introduced, requires that petitions for appointment of a conservator include results of searches of the proposed conservator in the department of health's registry of persons who have abused, neglected, or misappropriated the property of vulnerable persons and the national sex offender registry. - Amends TCA Title 34. by *Jernigan.

***House Bill No. 101** -- Motor Vehicles - As introduced, clarifies that a motorized wheelchair is not a motor vehicle for purposes of the rules of the road, accidents, and crimes involving motor vehicles. - Amends TCA Title 55. by *Jernigan.

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***House Bill No. 102** -- Education - As introduced, excludes student growth data generated by assessments administered in the 2020-2021 school year from a teacher's evaluation, unless including the data results in a higher evaluation score for the teacher; prohibits scores on TCAP tests administered to students in the 2020-2021 school year from comprising a percentage of a student's final grade, unless including the scores results in a higher final grade for the student. - Amends TCA Title 49. by *Ogles.

***House Bill No. 103** -- Education, Curriculum - As introduced, requires, beginning with the 2022-2023 school year, each local education agency and public charter school to provide students with age-appropriate and grade-appropriate instruction on firearm safety. - Amends TCA Title 49, Chapter 6. by *Ogles.

***House Bill No. 104** -- Paternity - As introduced, increases from 60 days to 180 days the time period within which a voluntary acknowledgment of paternity can be rescinded; removes the five-year statute of limitations for challenging a voluntary acknowledgment of paternity on the basis of fraud, duress, or mistake of fact. - Amends TCA Title 24, Chapter 7; Title 36 and Title 68. by *Parkinson.

House Bill No. 105 -- Local Government, General - As introduced, prohibits a local government from having residency requirements as a condition of employment for a first responder. - Amends TCA Title 5; Title 6; Title 7; Title 8, Chapter 50; Title 8, Chapter 8; Title 38, Chapter 8; Title 68, Chapter 140 and Title 68, Chapter 102. by *Moon, *Gillespie, *Sparks, *Leatherwood.

***House Bill No. 106** -- Corporations, For Profit - As introduced, requires corporations to implement certain measures and maintain certain records when allowing shareholder meetings to be conducted by remote means. - Amends TCA Title 48. by *Lamberth.

***House Bill No. 107** -- Motor Vehicles, Titling and Registration - As introduced, converts special purpose boat dealer plates to boat transport plates; authorizes persons or businesses that transport boats for hire to be issued special purpose boat transport plates in addition to manufacturers and dealers of boats. - Amends TCA Title 55, Chapter 4, Part 2. by *Hulsey.

***House Bill No. 108** -- Criminal Offenses - As introduced, raises the penalty for the offense of voluntary manslaughter from a Class C felony to a Class B felony. - Amends TCA Title 39 and Title 40. by *Hulsey.

***House Bill No. 109** -- Probation and Parole - As introduced, creates a presumption that a prisoner who reaches the release eligibility date for the prisoner's combined sentences and has an active detainer to serve a term of imprisonment in another jurisdiction must, unless good cause is shown to deny release, be granted parole to the detainer if certain conditions are met. - Amends TCA Title 40, Chapter 28. by *Hulsey.

***House Bill No. 110** -- Economic and Community Development - As introduced, enacts the "Save Tennessee Call Center Jobs Act of 2021." - Amends TCA Title 4; Title 9; Title 12; Title 50 and Title 67. by *Hulsey.

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***House Bill No. 111** -- Criminal Offenses - As introduced, requires Tennessee bureau of investigation to investigate Tennesseans suspected of participating in seditious or treasonous acts at the federal Capitol Building in Washington, D.C., on January 6, 2021; clarifies that such acts committed by elected officials of this state constitute grounds for removal from office. - Amends TCA Title 38, Chapter 6, Part 1. by *Lamar, *Harris.

***House Bill No. 112** -- Human Resources, Department of - As introduced, creates the state as a model employer program within the department to ensure that state agencies and departments design and proactively implement best, promising, and emerging policies, practices, and procedures related to the recruitment, hiring, advancement, and retention of qualified individuals with disabilities. - Amends TCA Title 4 and Title 50. by *Moody.

***House Bill No. 113** -- Tobacco, Tobacco Products - As introduced, creates annual retail tobacco license, which must be obtained by retailers before engaging in the retail sale of tobacco products; establishes tax on closed-system and open-system vapor products. - Amends TCA Title 4; Title 29; Title 39, Chapter 17; Title 39, Chapter 15; Title 43; Title 67, Chapter 4, Part 10 and Title 68. by *Smith.

***House Bill No. 114** -- TennCare - As introduced, adds reporting on the cost, utilization, and effectiveness of the all payer claims database to the general assembly annually on February 15 to the commissioner of finance and administration's duties related to the database. - Amends TCA Title 4; Title 8; Title 56 and Title 71. by *Smith.

***House Bill No. 115** -- Children - As introduced, authorizes a Parents' Day Out or similar program operated by a religious institution or organization to provide 12-hour per week child care services in whatever block of time desired. - Amends TCA Title 49 and Title 71. by *Campbell.

***House Bill No. 116** -- Driver Licenses - As introduced, disqualifies for life persons convicted of trafficking for a commercial sex act from obtaining a commercial driver license; requires lifetime suspension of commercial driver license for persons convicted of trafficking for a commercial sex act. - Amends TCA Title 39, Chapter 13, Part 3 and Title 55, Chapter 50. by *Garrett, *Littleton.

***House Bill No. 117** -- Teachers, Principals and School Personnel - As introduced, increases, from one time to once every three years, the required in-service training for a teacher employed by a local board of education in regard to the detection, intervention, prevention, and treatment of human trafficking in which the victim is a child. - Amends TCA Title 49. by *Lamar.

House Bill No. 118 -- Statutes and Codification - As introduced, codifies the Acts of the 2020 regular and extraordinary sessions. by *Lamberth, *Gant.

House Bill No. 119 -- Tennessee Bureau of Investigation - As introduced, requires the bureau to implement a program to assist in the locating of missing, vulnerable citizens, called the Silver Alert program, that will supersede the Care Alert program. - Amends TCA Title 38, Chapter 6. by *Faison.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Lamar, **House Bill No. 111** was withdrawn from the House.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 3 Rep. Griffey as prime sponsor.

House Bill No. 5 Rep. Griffey as prime sponsor.

House Bill No. 6 Rep. Dixie as prime sponsor.

House Bill No. 7 Reps. Todd, Howell, Hurt, Cepicky and Moon as prime sponsors.

House Bill No. 8 Rep. Griffey as prime sponsor.

House Bill No. 10 Reps. Crawford, Warner, Rudder, Cepicky, Ogles and Hall as prime sponsors.

House Bill No. 11 Rep. Griffey as prime sponsor.

House Bill No. 13 Reps. Griffey and Cepicky as prime sponsors.

House Bill No. 14 Rep. Griffey as prime sponsor.

House Bill No. 16 Rep. Griffey as prime sponsor.

House Bill No. 18 Reps. Warner, Campbell and Doggett as prime sponsors.

House Bill No. 39 Reps. Ogles and Jernigan as prime sponsors.

House Bill No. 55 Rep. Garrett as prime sponsor.

House Bill No. 105 Reps. Gillespie, Sparks and Leatherwood as prime sponsors.

House Bill No. 116 Rep. Littleton as prime sponsor.

PRESENT IN CHAMBER

Rep. Doggett was announced as being present in the Chamber.

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ROLL CALL

The roll call was taken with the following results:

Present..... 96

Representatives present were Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell, Camper, Carr, Carringer, Carter, Casada, Cepicky, Chism, Clemmons, Cochran, Cooper, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudd, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Todd, Towns, Travis, Warner, Weaver, White, Whitson, Williams, Windle, Wright, Zachary, Mr. Speaker Sexton – 96

RECESS

On motion of Rep. Lamberth, the House stood in recess until 9:00 a.m., Wednesday, January 13, 2021.